

no statute prohibiting such dancing performances described in this Act, and there is a large demand that this Act go into immediate effect, creates an emergency and an imperative public necessity that the constitutional rule requiring that bills be read on three several days be suspended, and the same is hereby suspended, and that this Act take immediate effect and be in force from and after its passage, and be it so enacted.

TWENTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas, Feb. 19, 1919.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent—Excused.

Willifor 1.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Westbrook.

Petitions and Memorials.

See Appendix.

Standing Committee Reports.

See Appendix.

Special Committee Report.

The Ranger Investigation Committee filed its report, which was re-

ceived and ordered printed in the Journal.

See Appendix.

Bills and Resolutions.

By Senator Buchanan of Bell:

S. B. No. 315, A bill to be entitled "An Act amending Section 2 and Section 19 of Chapter 60 of the Acts of the 35th Legislature, passed at its regular session, providing that the Live Stock Sanitary Commission shall as far as possible destroy and eradicate fever carrying ticks, contagious, infectious and communicable diseases of live stock, and shall establish special quarantine districts, where necessary, providing for notice of the establishment of such quarantine districts, and to quarantine live stock therein or elsewhere, and to prescribe methods for dipping live stock and disinfecting the premises, providing that the sheriffs and constables shall assist such Live Stock Commission and its inspectors in enforcing the provisions of said section, providing compensation for such sheriffs and constables; providing that farmers and stock raisers having herds of less than one hundred cattle shall not be required to dip such cattle until they are first inspected and found to be infected with fever carrying ticks, contagious, infectious or communicable diseases, and declaring an emergency."

Read first time, and referred to Committee on Stock and Stock Raising.

By Senator McNealus:

S. B. No. 316, A bill to be entitled "An Act to provide for the consolidation of two or more insurance companies doing the same line of business, where one or all of them have been previously organized under the laws of this State; to regulate the manner of such consolidation, and to repeal all laws and parts of laws in conflict therewith."

Read first time, and referred to Committee on Insurance and Banking.

By Senator Dean:

S. B. No. 317, A bill to be entitled "An Act naming the pecan as the Texas State tree, and declaring an emergency."

Read first time, and referred to Committee on Agricultural Affairs.

By Senator Hall:

S. J. R. No. 23, a resolution to be entitled "A Joint Resolution proposing and submitting to the people of the State of Texas an amendment to Article 16 of the Constitution of the State of Texas, by adding thereto a new section and authorizing the city of Galveston and county of Galveston to issue bonds for protective works, irrespective of constitutional limitations."

Read first time, and referred to Committee on Constitutional Amendments.

By Senators Hopkins, Westbrook, Alderdice, Smith, Buchanan of Scurry, Dudley.

S. B. No. 318, A bill to be entitled "An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State funds shall be kept and deposited; to define the State Depository Board and its powers, and what banks may become State depositories, and the manner and means of selecting and for the qualification of such State depositories, providing for the distribution of such State funds among such depositories, repealing all laws in conflict, and declaring an emergency."

By Senator Hall:

S. B. No. 319, A bill to be entitled "An Act to amend Title 69 of the Revised Civil Statutes of this State, by inserting therein, immediately following Article 4643, a new Article, to be known as Article 4643a, providing in substance that no injunction or temporary restraining order shall be issued by any judge of this State prohibiting any sub-surface drilling or mining operations on the application of any adjacent land owner claiming injury to his surface or improvements, or loss of, or injury to, the minerals thereunder, unless the person, corporation or partnership, against whom such drilling or mining operations is alleged as a wrongful act, is shown to be unable to respond in damages; provided, however, that the person, corporation or partnership against whom such injunction is sought shall enter into a bond, with one or more suffi-

cient sureties, in such sum as the judge may fix, securing the complainant in payment of any injuries that may be sustained; providing, also, that the court when he deems it necessary to protect any or all interests involved in such litigation in view of such bond may appoint a trustee with such powers as the court may prescribe or may appoint a receiver under the statute to take charge of and hold the minerals produced or the proceeds thereof, subject to the final disposition of such litigation; and declaring an emergency."

Read first time, and referred to Committee on Mining and Irrigation.

By Senators Bell and Dayton:

S. C. R. No. 25, petitioning Congress to take such congressional action as may be necessary to empower the President of the United States to fulfill the contract entered into with the farmers of the United States, so that they may receive the full benefit of the price fixed for the wheat crop of 1919.

Read first time, and referred to Committee on Agricultural Affairs.

By Senator Alderdice:

S. B. No. 320, A bill to be entitled "An Act to amend Chapter 74, on pages 139 and 140, of the General Laws of the regular session of the 35th Legislature of Texas, so as to prohibit the sale of road vehicles of certain carrying capacity with tires of less than the herein prescribed width within the State of Texas, fixing penalties for the violation thereof, and providing the time at which such Act shall take effect."

Read first time, and referred to Committee on Roads, Bridges and Ferries.

By Senator Caldwell:

S. B. No. 321, A bill to be entitled "An Act to authorize and direct the Secretary of State to exchange Court Reports, Session Acts and other publications of other States and foreign countries for the benefit of the law library of the University of Texas, and declaring an emergency."

Read first time, and referred to Committee on State Affairs.

Bills Recommitted.

By unanimous consent and on request of Senator Westbrook, H. B. No. 315, which has been passed to its third reading, was recommitted to the Committee on Educational Affairs.

By request of Senator Hertzberg, S. B. No. 289 was withdrawn from the Committee on Commerce and Manufactures and referred to the Committee on Labor.

Simple Resolution No. 70.

Whereas, The Hon. Cone Johnson of Tyler, Texas, one of the strongest and most experienced lawyers in Texas, has had a great deal of experience as an assistant in the office of the Attorney General of the United States, and, on account of his broad experience and excellent legal ability, is eminently qualified to serve this Nation as its Attorney General; therefore, be it

Resolved by the Senate of Texas, That we request the President of the United States to appoint the said Hon. Cone Johnson Attorney General in place of the Hon. Thomas W. Gregory, resigned; and that the Secretary of the Senate immediately transmit to the President of the United States a copy of this resolution.

SUITER.
DOROUGH.

The resolution was read and adopted.

House Joint Resolution No. 7.

The Chair laid before the Senate on second reading:

H. J. R. No. 7, being a resolution to be entitled "A Joint Resolution of the Legislature of the State of Texas, proposing an amendment to the Constitution of the State by adding to Article 16 thereof a new section, to be known as Section 60, providing for the compensation of public officials."

The committee report carrying the following amendment was adopted:

Amend H. J. R. No. 7 that the date of election upon this amendment be held upon the first Tuesday after the first Monday of November, 1920, at the general election.

Senator Carlock offered the follow-

ing amendment, which was read and adopted:

(1) Amend H. J. R. No. 7 by adding at the end of line 32, page 1, the following: "Provided, that the Legislature may make such exceptions as they may deem advisable."

The resolution was laid before the Senate, read second time and, on motion of Senator Dean, was passed to its third reading by the following vote:

Yeas—17.

Bailey.	McNealus.
Bell.	Page.
Carlock.	Parr.
Dorough.	Smith.
Dudley.	Strickland.
Floyd.	Suiter.
Hall.	Westbrook.
Hertzberg.	Woods.
Johnston.	

Nays—9.

Alderdice.	Dean.
Euchanan of Bell.	Faust.
Euchanan of Scurry.	Gibson.
Cousins.	Hopkins.
Dayton.	

Absent.

Caldwell.	Witt.
Clark.	

Absent—Excused.

Williford.

House Bill No. 100.

The Chair laid before the Senate on second reading:

H. B. No. 100, A bill to be entitled "An Act to amend Article 7805 of Chapter 1 of Title 130, of the Revised Civil Statutes of Texas of 1911, as amended by the Act of the Regular Session of the Thirty-fifth Legislature of the State of Texas, approved February 23, 1917 (pages 63 and 64, Session Acts, Regular Session, Thirty-fifth Legislature of Texas), so as to define the terms upon which certain foreign corporations whose permits to do business in Texas have been forfeited may be readmitted to do business in Texas, and declaring an emergency."

Senator Floyd moved to postpone further consideration of the bill until tomorrow.

Senator Page moved to table the motion to postpone the bill, and this motion prevailed.

Senator Suiter offered the following amendment:

(1) On page No. 2, line No. 4, after the word "therewith" insert the following:

"Provided that in addition to being required to comply with the regulations now in force, relating to foreign corporations that may be doing business in this State, such corporation seeking re-admission to do business in this State, shall accompany its application for the permit to do business in this State, with a good and solvent bond payable to the State of Texas, to be approved by the Secretary of State, in a sum equal to ten per cent (10%) of its capital stock, conditioned that said corporation is not a party either directly or indirectly to any trust agreement or other agreement, which would constitute a violation of the anti-trust laws of the State of Texas were such agreement carried out or executed in Texas; and that it will not make nor enter into any agreement or understanding or do any other violation of the Texas anti-trust laws and will sell its products in this State, when re-admitted, at a price not to exceed the price said corporation shall sell its products in any other State of the United States, or any foreign country, which said bond may be sued upon, in the District Court of Travis County, Texas, and the full amount thereof recovered upon a violation of the terms and conditions thereof.

SUITER,
WESTBROOK.

Senator Page moved to table the amendment and this motion was lost by the following vote:

Yeas—10.

Bell.	Gibson.
Caldwell.	Hall.
Carlock.	Page.
Dayton.	Parr.
Dudley.	Smith.

Nays—16.

Alderdice.	Clark.
Bailey.	Cousins.
Buchanan of Bell.	Dean.
Buchanan of Scurry.	Dorough.

27—Jour.

Faust.	Johnston.
Floyd.	McNealus.
Hertzberg.	Suiter.
Hopkins.	Westbrook.

Absent.

Strickland.	Woods.
Witt.	

Absent—Excused.

Williford.

Action then recurred upon the amendment and the same was lost by the following vote:

Yeas—12.

Alderdice.	Hertzberg.
Bailey.	Hopkins.
Buchanan of Bell.	Johnston.
Dean.	McNealus.
Faust.	Suiter.
Floyd.	Westbrook.

Nays—16.

Bell.	Dudley.
Buchanan of Scurry.	Gibson.
Caldwell.	Hall.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Witt.
Dorough.	Woods.

Absent.

Strickland.

Absent—Excused.

Williford.

Senator Dean offered the following amendment:

(1) Amend House Bill No. 100, page 2, line 17, by striking out the word "five" and inserting "ten" in lieu thereof.

Senator Page moved the previous question on the adoption of the amendment and the passage of the bill to its third reading. This motion being duly seconded was accordingly ordered.

Action recurred upon the amendment and the same was lost by the following vote:

Yeas—8.

Dean.	Johnston.
Floyd.	McNealus.
Hertzberg.	Suiter.
Hopkins.	Westbrook.

Nays—19.

Alderdice.	Buchanan of Bell.
Bailey.	Buchanan of Scurry.
Bell.	Caldwell.

Carlock.
Clark.
Cousins.
Dayton.
Dorough.
Dudley.
Faust.

Gibson.
Hall.
Page.
Parr.
Witt.
Woods.

Absent.

Smith. Strickland.

Absent—Excused.

Williford.

The bill was read second time and passed to its third reading by the following vote:

Yeas—18.

Alderdice. Dorough.
Bell. Dudley.
Buchanan of Bell. Faust.
Buchanan of Scurry. Gibson.
Caldwell. Hall.
Carlock. Page.
Clark. Parr.
Cousins. Witt.
Dayton. Woods.

Nays—9.

Bailey. Johnston.
Dean. McNealus.
Floyd. Suiter.
Hertzberg. Westbrook.
Hopkins.

Absent.

Smith. Strickland.

Absent—Excused.

Williford.

On motion of Senator Page, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 100 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice. Dudley.
Bailey. Faust.
Bell. Gibson.
Buchanan of Bell. Hall.
Buchanan of Scurry. Hertzberg.
Caldwell. Hopkins.
Carlock. Johnston.
Clark. McNealus.
Cousins. Page.
Dayton. Parr.
Dean. Witt.
Dorough. Woods.

Nays—3.

Floyd. Westbrook.
Suiter.

Absent.

Smith. Strickland.

Absent—Excused.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Page, was passed finally.

Message from the House

Hall of the House of Representatives,
Austin, Texas, Feb. 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted House Concurrent Resolution No. 32, Endorsing a resolution by Confederate Veterans asking Congress to refund the Cotton Tax to the Southern States.

Respectfully submitted,

T. B. REESE, Chief Clerk,
House of Representatives.

Bill Read and Referred.

The Chair, Lieutenant Governor Johnson, had referred, after its caption had been read, the following:

H. C. R. No. 32, referred to the Committee on Agricultural Affairs.

Recess.

At 12:25 o'clock p. m., the Senate, on motion of Senator Westbrook, recessed until 2:30 o'clock p. m., today.

After Recess.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Johnson.

House Bill No. 351.

The Chair laid before the Senate on second reading:

H. B. No. 351, A bill to be entitled "An Act creating the Goose Creek Independent School District in the county of Harris, State of Texas, defining its boundaries and divesting the bodies politic now controlling the same of the title of all property now

held and used for public school purposes within the territory within this act described and investing the same in the Goose Creek Independent School District, providing for the election of a board of trustees to manage and control the public free schools within said district and investing the said district with the rights, powers, privilege and duties of a town or village incorporated for free school purposes only under the general laws, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second and, on motion of Senator Johnston, was passed to its third reading.

House Bill No. 276.

The Chair laid before the Senate on second reading:

H. B. No. 276 A bill to be entitled "An Act creating the Katy Independent School District in the counties of Harris, Waller and Fort Bend, State of Texas, defining its boundaries, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Johnston, was passed to its third reading.

House Bill No. 342.

The Chair laid before the Senate on second reading:

H. B. No. 342, A bill to be entitled "An Act to incorporate Cain City Independent School District in Gillespie county, Texas, providing for the exercise of all powers and privileges incident and belonging to Independent School Districts, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Hertzberg, was passed to its third reading.

Messages From the Governor.

Governor's Office.

Austin, Texas, February 19, 1919.

To the Texas Senate:

In accordance with the provisions

of Section 14, Article 4 of the Constitution, I herewith return, with my disapproval,

S. B. No. 117, being "An Act to amend an Act passed by the Thirty-second Legislature and approved on the 23rd day of March, 1911, by adding to said Act Section 17 providing that the funds hereafter derived from any county road tax or from the sale of any county road bonds, and not such funds as have been provided by elections in precincts or defined districts, shall be prorated between the commissioners' precincts of said Hardin County when said tax is so levied or said bonds are so issued, in the ratio that the amount of taxes collected in the precinct bears to the whole amount so collected or obtained by the county and the commissioners' court shall require the county treasurer to keep a separate account for each commissioners' precinct of said county of all the road funds so arising or obtained by the county, and declaring an emergency."

My reason for disapproving this bill is in the fact that I have today approved House Bill No. 59, similar in all respects to this measure.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, February 19, 1919.

To the Texas Senate:

In accordance with the provisions of Section 14, Article 4, of the Constitution, I return herewith, with my disapproval,

S. B. No. 123, being "An Act to amend Section 1 of Chapter 67, Special Laws passed at the Regular Session of the Thirty-fourth Legislature approved March 22, 1915, creating and defining the boundaries of the Burnet Independent School District in Burnet County, Texas, and to add to said Chapter Sections 2-a and 2-b validating an order passed by the commissioners' court of Burnet County, Texas, changing the boundaries of the Burnet Independent School District so as to embrace the same territory described in this Act, and validating a bond election heretofore held in said district, and declaring an emergency."

My reason for disapproving this bill is in the fact that I have today

approved House Bill No. 216, similar in all respects to this measure.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office,

Austin, Texas, February 15, 1919.

To the Texas Senate:

I ask the advice, consent and confirmation of the Senate in the following appointments:

To be members of the State Text Book Commission: Mr. E. L. Doroney, Jr., Paris, Secretary; Mrs. Ella F. Little, Temple; Miss Lizzie Barbour, Brownsville; Mr. W. T. Lofland, Hillsboro; Mr. P. E. Wallace, Mineola; Mr. M. M. Cobb, Waco; Miss Myra Winkler, El Paso.

To be cotton weighers for the City of Houston: David Rice, John D. Woolford, Jr., R. C. Blalock, Christian G. Timmins, Albert Coles, C. P. Reynaud.

Respectfully submitted,

W. P. HOBBY,
Governor.

The above nominations were referred to the Committee on Nominations of the Governor.

House Bill No. 200.

The Chair laid before the Senate on second reading:

H. B. No. 200, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes of Texas, 1911, as amended by Chapter 72 General Laws of the Thirty-third Legislature, and Chapters 26 and 99 General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named so as to include Archer, Hemphill, Roberts, Gray and Madison counties, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Bell, was passed to its third reading.

House Bill No. 1.

The Chair laid before the Senate on second reading:

H. B. No. 1, A bill to be entitled "An Act to regulate the practice of dentistry or dental surgery in the State of Texas, providing for the examination and registration of persons desiring to practice dentistry and dental surgery, and the issuance of license therefor, prescribing the qualifications of the Board of Examiners, prescribing fees that may be charged for registration, making it unlawful for any person not licensed under the provisions of this act to practice dentistry, defining a reputable college or school, providing for registration of persons who have been engaged in the practice of dentistry in other States, for the revocation of license granted by the Board of Examiners upon satisfactory evidence of misconduct on the part of the licensee, for the exhibition of his or her license by persons engaged in the practice of dentistry; prohibiting any person from advertising or soliciting business under any other than his or her proper and legal name; prescribing the fees to be charged by the Board of Examiners for examination fees; penalties for the violation of any of the provisions of this Act; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

On motion of Senator Clark the bill was passed to its third reading.

House Bill No. 246.

The Chair laid before the Senate on second reading:

"An Act to amend Section 9, Chapter 20 of the Local and Special Laws, passed by the Fourth Called Session of the Thirty-fifth Legislature being 'An Act to amend Section 9, of Chapter 17, Special Laws, passed at the First Called Session of the Thirty-third Legislature, entitled 'San Patricio County Road System—Creating,' authorizing said county or any political subdivision or defined district thereof to issue bonds not exceeding forty years from date of issuance, with such option of redemption as may be fixed by the commissioners court, or to issue

such bonds to mature serially in approximately equal portions every year for not exceeding forty years, and declaring an emergency,' by changing the rate of interest provided in Section 9 thereof from not exceeding 5 per cent to not exceeding 6 per cent and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was laid before the Senate, read second time and, on motion of Senator Parr, was passed to its third reading.

Morning call concluded.

Senate Bill No. 169.

The Chair laid before the Senate on second reading:

S. B. No. 169, A bill to be entitled "An Act authorizing any town or city in the State now organized or which may be hereafter organized, under the laws of Texas, or operating under a Special Act or Charter, to lease any oil or mineral land owned or held by such town or city, provided that the same shall not apply to any streets or alleys, public squares or any lands dedicated by any person or persons, for public use, in such town or city."

Senator Carlock offered the following amendment which was read and adopted:

(1) Amend Senate Bill No. 169 by adding a new section thereto to be known as Section 3 as follows:

"Section 3. The importance of this legislation and the fact that this is a Regular Session of the Legislature at which the calendar will be in a crowded condition, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days in each house be suspended and the same is hereby suspended and this Act shall take effect and be in force from and after its passage and it is so enacted."

Amend the caption of the bill by adding at end thereof the following: "and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Carlock, the constitutional rule requiring bills to

be read on three several days was suspended and Senate Bill No. 169 put on its third reading and final passage by the following vote:

Yeas—24.

Bailey.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.

Present—Not Voting.

Alderdice.

Absent.

Buchanan of Scurry. Hall.

Dean. Strickland.

Absent—Excused.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Carlock, was passed by the following vote:

Yeas—25.

Alderdice.	Gibson.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Nays—1.

Bailey.

Absent.

Buchanan of Scurry. Strickland.
Hall.

Absent—Excused.

Williford.

Senate Bill No. 80.

Senator Bell called from the table and the Chair laid before the Senate on second reading:

S. B. No. 80, A bill to be entitled "An Act to amend Section 6 of Chap-

ter 73 of the Acts of the Fourth Called Session of the Thirty-fifth Legislature, relating to and increasing the compensation to be paid Tax Collectors for their services in the collection of motor vehicles and motorcycle taxes and licenses."

The committee report carrying the emergency clause was adopted.

Senator Carlock offered the following amendment:

(1) Amend Senate Bill No. 80 by striking out all after the enacting clause, and substituting the following:

Section 1: Section 6 of Chapter 73 of the Acts of the Fourth Called Session of the Thirty-Fifth Legislature be so amended as to hereafter read as follows:

Section 6: As compensation for their services, under this Act, collectors shall receive for their services three (3%) per cent of all amounts collected by them, which shall not be taken and considered as a part of their fees of office, in determining the amount of maximum compensation to be allowed them out of their fees of Office out of Chapter 4, Title 58, of the Revised Statutes of 1911, as amended by the Acts of the Thirty-third Legislature, Regular Session, page 246, provided that the said fees shall, upon final settlement of the tax collector with the Comptroller, be charged against the Highway Commission, one-half of the funds so collected in each county.

Section 2: The fact that under the present law the compensation of collectors for performing the services required by said Act is wholly inadequate; and in view of the large amount of business now on the calendar, and the shortness of the Regular Session, an imperative public necessity and emergency is created, whereby the constitutional rule requiring bills to be read on three separate days should be suspended and the said rule is hereby suspended, and this Act will take effect from and after its passage, and it is so enacted.

CARLOCK.

Amendment pending.

On motion of Senator Bell the bill was laid on the table subject to call.

Senate Bill No. 168.

The Chair laid before the Senate on second reading:

S. B. No. 168, A bill to be entitled "An Act authorizing cities and towns heretofore organized under any of the laws of this State, either general or special, or which may hereafter be organized in this State, to provide for the health, comfort, convenience, recreation and amusement of the citizens of such towns or cities and to to use the public places, parks and reservoirs owned by such city, and to make all necessary regulations and reasonable charges therefor."

Senator Carlock offered the following amendments which were read and adopted:

(1) Amend Senate Bill No. 168 by adding to the end of line 22, section 1, the following:

"Provided that nothing contained in this Act shall alter, modify, or in any manner repeal any of the existing laws relating to the observance of the Sabbath, and provided further that nothing in this Act contained shall be held to authorize any city or town in this State to alter or repeal, or to authorize any of its officers, or agents, or others to disregard or violate any of the Criminal Laws of this State, now or hereafter enacted."

(2) Amend Senate Bill No. 168 by striking out all after Section 2, in line 23, and substitute the following:

"Section 2. Owing to the shortness of the Regular Session, and the large number of bills on the calendar, an emergency and an imperative public necessity are created, whereby the constitutional rule requiring bills to be read on three separate days is suspended, and this Act will take effect from and after its passage, and it is so enacted."

The bill was read second time and passed to engrossment.

On motion of Senator Carlock, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 168 put on its third reading and final passage by he following vote:

Yeas—23.

Alderdice.
Bailey.
Bell.
Caldwell.
Carlock.
Clark.
Cousins.
Dayton.
Dean.

Dorough.
Dudley.
Faust.
Gibson.
Hertzberg.
Hopkins.
Johnston.
McNealus.
Parr.

Smith. Witt.
Strickland. Woods.
Suiter.

Absent.

Buchanan of Bell. Hall.
Buchanan of Scurry. Page.
Floyd. Westbrook.

Absent—Excused.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Carlock, was passed finally.

Senate Bill No. 148.

The Chair laid before the Senate on second reading:

S. B. No. 148, A bill to be entitled "An Act to accept the benefits of an Act passed by the Senate and House of Representatives of the United States of America in Congress assembled for the promotion of vocational education designating the State Treasurer as custodian for the reception and disbursement of all funds allotted to this State from the appropriations made by the Federal Act; designating and authorizing the State Board of Education as the State Board for Vocational Education to act in co-operation with the Federal Board of said Act; making an appropriation of \$120,389.45 or so much thereof as may be necessary for the scholastic year 1919-1920 and an appropriation of \$145,183.11, or so much thereof as may be necessary, for the scholastic year 1920-21; providing compensations for appropriations by local boards and by the State in its educational budgets for the purposes of this Act; naming the conditions under which aid may be extended".

The committee report carrying the following amendment was adopted:

Amend Senate Bill No. 148, Section 4, line 24 by inserting after the word "purposes" the following: "provided, that the teacher training in Vocational Home Economics under this Act shall be done by the College of Industrial Arts".

Senator Alderdice offered the following amendments which were read and adopted:

(1) Amend Senate Bill No. 148 by adding thereto section 8 as follows:

"Section 8. The importance of this legislation and the fact that this

is a regular session of the Legislature at which the calendar will be in a crowded condition, creates an emergency and an imperative public necessity which requires that the constitutional rule providing that bills shall be read on three several days in each house be suspended and the same is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(2) Amend the caption by adding after the word "extended" in line 11, page 1, the following, "and declaring an emergency".

Senator Dorrough offered the following amendment, which was read and adopted:

(3) Amend the bill by striking out lines 17, 18, 19 and 20, page 4.

Senator Witt offered the following amendment, which was read and adopted:

(4) Amend S. B. No. 148 by striking the word "aggregating" in line 18, page 3, and substituting the word "exceeding."

The bill was read second time, and passed to engrossment.

On motion of Senator Alderdice the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 148 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Faust.
Bell.	Floyd.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Carlock.	Johnston.
Clark.	McNealus.
Cousins.	Page.
Dayton.	Parr.
Dean.	Smith.
Dorough.	Westbrook.
Dudley.	Witt.

Absent.

Bailey.	Strickland.
Caldwell.	Suiter.
Gibson.	Woods.
Hall.	

Absent—Excused.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Alderdice, was passed by the following vote:

Yeas—25.

Alderdice.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Caldwell.	Hopkins.
Carlock.	Johnston.
Clark.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	

Nays—1.

McNealus.

Absent.

Bailey.	Woods.
Buchanan of Scurry.	

Absent—Excused.

Williford.

Senate Bill No. 125.

The Chair laid before the Senate on second reading:

S. B. No. 125, A bill to be entitled "An Act to amend Sections 3 and 7 of Chapter 32 of the Local and Special Laws of the Regular Session of the Thirty-fifth Legislature, so as to regulate the pay of road hands and teams and road overseers of Gillespie County, Texas, and declaring an emergency."

On motion of Senator Hertzberg, the bill was laid on the table subject to call.

Senate Bill No. 107.

Senator Page called from the table, and the Chair laid before the Senate on second reading:

S. B. No. 107, being a bill to be entitled "An Act to amend Section 1 of Senate Bill No. 5, Chapter 7, of the General Laws of Texas, as passed by the Thirty-third Legislature at its regular session and approved February 11, 1913, as the same appears on page 8 of the General Laws of the Thirty-third Legislature at its regular session, the same being commonly called the 'suspended sentence law,' and declaring an emergency."

Senator Hertzberg offered the following amendment:

Amend S. B. No. 107 by striking out the words "under the age of 21 years," lines 19 and 20, Section 1.

On motion of Senator Page, the amendment was tabled by the following vote:

Yeas—18.

Alderdice.	Dorough.
Buchanan of Bell.	Dudley.
Buchanan of Scurry.	Floyd.
Caldwell.	Gibson.
Carlock.	Hopkins.
Clark.	Johnston.
Cousins.	McNealus.
Dayton.	Page.
Dean.	Parr.

Nays—10.

Bell.	Strickland.
Faust.	Suiter.
Hall.	Westbrook.
Hertzberg.	Witt.
Smith.	Woods.

Absent.

Bailey.

Absent—Excused.

Williford.

Senator Carlock offered the following amendments, which were read and adopted:

(1) Amend S. B. No. 107, page 1, line 20, Section 1, by adding after the word "years" in same line the following words, "or any female without regard to her age."

(2) Amend S. B. No. 107, Section 1, line 19, page 1, by inserting before the word "person" the word "male." Amend line 19 by striking out the words "21" and inserting "24."

Senator Dorough offered the following amendment, which was read and adopted:

(3) Amend S. B. No. 107 by inserting after the word "robbery," line 21, page 1, the following, "convictions for violating any law of this State relating to intoxicating liquors."

The bill was read second time, and ordered engrossed by the following vote:

Yeas—18.

Alderdice.	Dudley.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hopkins.
Carlock.	Johnston.
Clark.	McNealus.
Dayton.	Page.
Dean.	Parr.
Dorough.	Strickland.

Nays—10.

Bell.	Smith.
Cousins.	Suiter.
Faust.	Westbrook.
Hall.	Witt.
Hertzberg.	Woods.

Absent.

Bailey.

Absent—Excused.

Williford.

On motion of Senator Page the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 107 put on its third reading and final passage by the following vote:

Yeas—25.

Alderdice.	Floyd.
Bell.	Gibson.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	

Nays—1.

Smith.

Absent.

Bailey.

Woods.

Hall.

Absent—Excused.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Page, was passed finally.

Senate Bill No. 98.

The Chair laid before the Senate on second reading:

S. B. No. 98, A bill to be entitled "An Act to amend Article 4859, Title 71, Chapter 7, relating to reports of local insurance associations, of the Revised Civil Statutes, 1911, of the State of Texas, so as to read hereafter as follows:"

The bill was read second time, and passed to engrossment.

(Senator Alderdice in the chair.)

Senate Bill No. 164.

The Chair laid before the Senate on second reading:

S. B. No. 164, A bill to be entitled "An Act to define as common carrier within this State persons, firms, associations of persons and corporations operating motor vehicles and other self propelling public conveyances, and affording means of street transportation similar to that ordinarily afforded by street railways, but not operated upon fixed tracks; to declare the business of all such common carriers a privilege, and to forbid and declare and denounce as a misdemeanor their operation upon streets, alleys and public places of incorporated cities or towns without obtaining permits or licenses from such cities or towns, and giving bond to indemnify against loss of life, injury to persons and damages to property; to authorize incorporated cities and towns of this State to grant permits and licenses to such carriers to operate over streets, alleys and public places, and to fix routes, limit the carrying capacity of such vehicles or conveyances, and prescribe terms and conditions upon which same may be operated, and to regulate and control such operation in the interest of public convenience and safety, and to impose a license fee for the exercise of the privilege herein granted; fixing a penalty for the violation of said Act, and declaring an emergency."

Senator Dayton offered the following amendment which was read and adopted:

(1) Amend Senate Bill No. 164 by adding at end of Section 2 the following: "provided that this Act shall not apply to towns and cities of less than fifteen thousand inhabitants."

Senator Witt offered the following amendment which was read and adopted:

(2) Amend Senate Bill No. 164 by striking out the words, in line 21 and 32, as follows "for each vehicle operating."

(3) Amend Senate Bill No. 164 by adding after the word "hire" in line 28, page 1 "and making regular trips over a fixed route."

The bill was read second time and passed to engrossment.

On motion of Senator McNealus, the constitutional rule requiring

bills to be read on three several days was suspended and Senate Bill No. 164 put on its third reading and final passage by the following vote:

Yeas—27.

Alderdice.	Hall.
Bailey.	Hertzberg.
Bell.	Hopkins.
Buchanan of Bell.	Johnston.
Buchanan of Scurry.	McNealus.
Carlock.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.
Floyd.	Woods.
Gibson.	

Nays—1.

Caldwell.

Absent.

Clark.

Absent—Excused.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator McNealus, was passed finally.

Senator McNealus moved to reconsider the vote by which the bill was passed and table the motion to reconsider.

The motion to table prevailed.

Senate Bill No. 124.

The Chair laid before the Senate on second reading:

S. B. No. 124, Being a bill to be entitled "An Act to provide the method of selecting a special venire in counties other than those having the wheel system, for the selection of juries, by adding to the Revised Code of Criminal Procedure a new Article to be known as Article 660a, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 124 put on its third reading and final passage by the following vote:

Yeas—26.

Alderdice.	Buchanan of Bell.
Bailey.	Buchanan of Scurry.
Bell.	Caldwell.

Carlock.	Hopkins.
Cousins.	Johnston.
Dayton.	McNealus.
Dean.	Parr.
Dorough.	Smith.
Dudley.	Strickland.
Faust.	Suiter.
Gibson.	Westbrook.
Hall.	Witt.
Hertzberg.	Woods.

Absent.

Clark.

Page.

Floyd.

Absent—Excused.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

Yeas—26.

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.

Absent.

Clark.

Page.

Floyd.

Absent—Excused.

Williford.

Bills Signed.

The Chair, Lieutenant Governor Johnson, gave notice of signing, and did sign in the presence of the Senate after their captions had been read, the following:

H. B. No. 100, A bill to be entitled "An Act to amend Article 7805 of Chapter 1 of Title 130 of the Revised Civil Statutes of Texas of 1911 as amended by the act of the Regular Session of the Thirty-fifth Legislature of the State of Texas, approved February 23, 1917, (pages 63 and 64, Session Acts, Regular Session, Thirty-fifth Legislature of Texas), so as to define the terms upon which certain foreign corporations whose permits to do business in

Texas have been forfeited may be readmitted to do business in Texas, and declaring an emergency."

H. C. R. No. 29, Providing for celebration of Sam Houston Memorial Day on Sunday, March second, 1919.

Senate Bill No. 114.

The Chair laid before the Senate on second reading:

S. B. No. 114, A bill to be entitled "An Act to fix the venue of suits for damages for libel and slander."

The bill was read second time and on motion of Senator Johnston, the same was ordered engrossed.

Senate Bill No. 151.

Senator Dayton called up and the Chair laid before the Senate on second reading:

S. B. No. 151, A bill to be entitled "An Act to amend Article 2727 of the Revised Civil Statutes of Texas, Chapter 10, page 577, relating to the members of the State Board of Education, by adding thereto, as a member of said board, the Attorney General of Texas, and declaring an emergency."

The committee report with amendment was adopted.

Senator Dayton offered the following amendment which was read and adopted:

(1) Amend Senate Bill No. 151, section 2, line 20, printed bill, by striking out the word "provisional" and insert in lieu thereof the words "provision of".

Senator Witt offered the following amendment:

(2) Amend Senate Bill 151 by striking out in line 14, page 1, words "Secretary of State" and substituting the words, "State Superintendent of Public Education".

Amendment pending.

On motion of Senator Dayton the bill was laid on the table subject to call.

(Senator Westbrook in the Chair.)

Senate Bill No. 81.

The Chair laid before the Senate on second reading:

S. B. No. 81, A bill to be entitled "An Act to amend Article 5663 and add Articles 5663a, 5663b and 5663c, Title 86, Chapter 8, of the Revised

Civil Statutes of Texas, 1911 relating to fixing a special lien in favor of hotels inns and boarding houses and providing a remedy for the enforcing of said lien by advertising and selling the baggage and other property of the guests of such hotel, inn or boarding house, providing for the disposition of the proceeds of said sale, defining liability of hotels for baggage deposited, defining the term hotel and inn, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Carlock, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 81 put on its third reading and final passage by the following vote:

Yeas—28.

Alderdice.	Floyd.
Bailey.	Gibson.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Page.
Cousins.	Parr.
Dayton.	Smith.
Dean.	Strickland.
Dorough.	Suiter.
Dudley.	Westbrook.
Faust.	Witt.

Present—Not Voting.

Woods.

Absent—Excused.

Williford.

The bill was laid before the Senate, read third time and, on motion of Senator Carlock, was passed by the following vote:

Yeas—23.

Alderdice.	Floyd.
Bell.	Hall.
Buchanan of Bell.	Hertzberg.
Buchanan of Scurry.	Hopkins.
Caldwell.	Johnston.
Carlock.	McNealus.
Clark.	Parr.
Cousins.	Smith.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	

Nays—1.

Page.

Present—Not Voting.

Dayton.

Woods.

Absent.

Bailey. Strickland.
Gibson.

Absent—Excused.

Williford.

Senate Bill No. 143.

Senator Floyd called up and the Chair laid before the Senate on second reading:

S. B. No. 143, A bill to be entitled "An Act to amend section 15 of Article 7355 of the Revised Civil Statutes of the State of Texas of 1911, authorizing the levying and collection of an occupation tax on every menagerie, wax works, side show or exhibition, whether connected with a circus or not, where a separate fee for admission is demanded or received, \$10.00 for every performance or exhibition in which fees for admission are received: repealing Chapter 135 of the General Laws of the State of Texas passed by the Thirty-fourth Legislature at its regular session, and declaring an emergency."

Senator Floyd offered the following amendment which was read:

(1) Amend Senate Bill No. 143 by striking out all after the enacting clause and in lieu thereof insert the following:

Section 1. That Chapter 135, Acts of the General Laws of the State of Texas passed by the Thirty-fourth Legislature at its regular session entitled, "An Act to amend sub-division 24 of Article 1049, Chapter 1, Title 104 of the Revised Civil Statutes of 1895 of the State of Texas, known as Section 15, of Article 7355, Chapter 1, Title 126 of the Revised Civil Statutes of 1911 of the State of Texas, and to prescribe a tax for menageries, wax works, side shows and exhibitions," be amended so as to hereafter read as follows:

Section 15. From every menagerie, wax works, side show or exhibition whether connected with a circus or not, where a separate fee for admission is demanded or received, ten dollars for every performance or exhibition, in which fees for admission are received; provided, that from any museum, menagerie or zoological exhibition, or a combination thereof, operated and maintained in any city or town and open for admission all day continuously, in which a charge for admission is demanded or received, an annual tax of fifty dollars.

Section 2. All laws and parts of laws in conflict herewith to be and the same are hereby repealed.

Section 3. Whereas, the law as it now exists, permitting carnival shows and combinations thereof in connection with the cities and towns of this State, without a license tax is a direct loss to the State of many thousands of dollars in occupation taxes, thereby enabling many shows to exhibit under one license, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Pending.

On motion of Senator Floyd the bill was laid on the table subject to call.

Senate Bill No. 49.

The Chair laid before the Senate on second reading:

S. B. No. 49, A bill to be entitled "An Act to increase the civil jurisdiction of the County Court of Mitchell County, Texas, and declaring an emergency."

On motion of Senator Buchanan of Scurry the bill was laid on the table subject to call.

(Lieutenant Governor Johnson in the Chair.)

Adjournment.

At 5:10 o'clock p. m. the Senate, on motion of Senator Clark, adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

The Chair laid before the Senate a telegram from Director of U. S. Bureau of Expositions, inviting the Senate to Special Exposition at the City Auditorium of Houston on March 3, 1919.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 19, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on In-

ternal Improvements, to whom was referred

S. B. No. 293, "An Act to permit Texas Southeast Railroad Company to take up and remove that portion of its railroad lying between Vair and Neff, etc.,"

Have had same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

C. R. BUCHANAN, Chairman.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

H. B. No. 246, A bill to be entitled "An Act to amend Section 9, Chapter 20, of the local and special laws of the Thirty-fifth Legislature, being 'An Act to amend Section 9 of Chapter 17, Special Laws passed at the First Called Session of the Thirty-third Legislature, entitled "San Patricio County Road System, Creating," authorizing said county or any political subdivision or defined district thereof to issue bonds not exceeding forty years from date of issuance, etc., by changing the rate of interest provided in Section 9 thereof from not exceeding 5 per cent to not exceeding 6 per cent, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

Wood, Chairman; Strickland, Carlock, Caldwell.

(Floor Report.)

Senate Chamber,
Austin, Texas, Feb. 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

S. B. No. 220, A bill to be entitled "Kerr County Road System," "An Act subdividing said county into road districts and empowering any political subdivision or any defined district now or hereafter to be designated and defined of said county, by a vote of a two-thirds majority of the resi-

dent property taxpayers, qualified voters of such political subdivision, or any defined district now or hereafter to be described and defined, thereof, voting thereon, to issue bonds of said county to an amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision or any defined district now or hereafter to be described and defined, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, and prescribing ways and means of conducting and supervising said work; providing for appointment of a board of commissioners, and their duties; providing for the redemption of road bonds now outstanding against Road District No. 1 and specially exempting said county from the provisions of Article 637d of Chapter 203 of the Acts of the 35th Legislature at its regular 1917 session, and declaring an emergency,"

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

Woods, Chairman; Strickland, Carlock, Caldwell.

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, a majority of your Committee on Public Health, to whom was referred House Bill No. 27, have had same under consideration, and beg to refer same back to the Senate with the recommendation that it do pass, with the amendment hereto attached.

McNealus, Chairman; Buchanan, Hall, Floyd, Smith.

(Amendment to H. B. No. 27.)

Amend House Bill No. 27, or the original copy, Section 2, line 3, by inserting the word "actually" between the words "and" and "used."

(Minority Report.)

Committee Room,

Austin, Texas, Feb. 18, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, a minority of your Committee on Public Health, to whom was referred House Bill No. 27, have had same under consideration, and beg to refer same back to the Senate with the recommendation that it do not pass.

CLARK.

Committee Room,

Austin, Texas, Feb. 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 307, have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McNEALUS, Chairman.

Committee Room,

Austin, Texas, Feb. 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, a majority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 263, Being a bill to be entitled "An Act conferring power upon the Railroad Commission of Texas to require non-grade crossings, when the public interest requires them, at crossings of the lines of steam railways, crossings of lines of steam and interurban railways, at crossings of the lines of interurban railways, and at crossings of the lines of steam or interurban railways with public highways, to apportion the costs thereof amongst the owners, etc., of such railways or between the owners, etc., of such interested railways and interested counties, cities or towns; providing procedure therefor, and procedure for the testing of the validity of such orders; granting the power of eminent domain to parties to such orders when it is necessary to acquire land to comply with such orders; permitting the owners, etc., of such interested railways, to issue improvement bonds to secure funds with which to comply with such orders with approval of Railroad Commission, etc.; permitting incorporated cities and towns, and counties, to issue improvement bonds to pro-

vide funds where necessary to comply with such orders, and within constitutional limits of indebtedness and taxation; providing that this Act is cumulative of certain other laws; providing that the terms of this Act are separable; providing penalties and other remedies for the enforcement of such orders; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

SUITER, Chairman.

(Minority Report)

Committee Room,

Austin, Texas, Feb. 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, a minority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 263, Being a bill to be entitled "An Act conferring power upon the Railroad Commission of Texas to require non-grade crossings, when the public interest requires them at crossings of the lines of steam railways, crossings of the lines of steam and interurban railways, at crossings of the lines of interurban railways, and at crossings of the lines of steam or interurban railways with public highways, to apportion the costs thereof amongst the owners, etc., of such railways, or between the owners, etc., of such interested railways and interested counties, cities or towns; providing procedure therefor, and procedure for the testing of the validity of such orders; granting the power of eminent domain to parties to such orders when it is necessary to acquire land to comply with such orders; permitting the owners, etc., of such interested railways, to issue improvement bonds to secure funds with which to comply with such orders with approval of Railroad Commission, etc.; permitting incorporated cities and towns, and counties, to issue improvement bonds to provide funds where necessary to comply with such orders, and within constitutional limits of indebtedness and taxation; providing that this Act is cumulative of certain other laws; providing that the terms of this Act are separable; providing penalties and other remedies for the enforce-

ment of such orders; and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do not pass.

COUSINS.
WOODS.

Committee Room,

Austin, Texas, Feb. 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 5, Being a resolution to be entitled "A joint resolution of the Legislature of the State of Texas, providing to amend Article 8 Section 1 of the constitution of the State of Texas, relating to taxation,"

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass with the following committee amendment:

(Committee Amendment)

Amend so as to read that it be voted at the general election the first Tuesday after the first Monday in November, 1920.

BUCHANAN of Bell, Chairman.

Committee Room,

Austin, Texas, February 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Constitutional amendments, to whom was referred

Senate Joint Resolution No. 22.

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

BUCHANAN of Bell, Chairman.

Committee Room,

Austin, Texas, February 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We your Committee on Counties and County Boundaries to whom was referred

Senate Bill No. 265, A bill to be entitled, "An Act to provide that the commissioners' courts shall provide suitable places in the courthouse for the holding of court by justices of the peace in the precinct where the courthouse is situated, where there are more than seventy-five thousand

inhabitants in such justice precinct, and declaring an emergency."

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, February 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries to whom was referred

H. B. No. 96, A bill to be entitled "An act to amend Section 8, of Chapter 79 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas in 1918, relating to the compensation of official shorthand reporters in Dallas County, Harris County, Bexar County and Travis County, and declaring an emergency."

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, February 19, 1919.

Hon. W. A. Johnson President of the Senate.

Sir: We, your Committee on Counties and County Boundaries to whom was referred

S. B. No. 264, A bill to be entitled "An Act providing a salary of Six Thousand (\$6,000.00) Dollars for the county judge in counties having a population of more than one hundred thousand inhabitants, and in which there is at least one city with a population of more than seventy-five thousand, out of the fees, commissions and perquisites earned by such office in the manner and as now provided by law, and repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, February 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We your Committee on

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 18, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, a minority of your Committee on Public Health, to whom was referred House Bill No. 27, have had same under consideration, and beg to refer same back to the Senate with the recommendation that it do not pass.

CLARK.

Committee Room,
Austin, Texas, Feb. 19, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 307, have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

McNEALUS, Chairman.

Committee Room,
Austin, Texas, Feb. 19, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, a majority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 263, Being a bill to be entitled "An Act conferring power upon the Railroad Commission of Texas to require non-grade crossings, when the public interest requires them, at crossings of the lines of steam railways, crossings of lines of steam and interurban railways, at crossings of the lines of interurban railways, and at crossings of the lines of steam or interurban railways with public highways, to apportion the costs thereof amongst the owners, etc., of such railways or between the owners, etc., of such interested railways and interested counties, cities or towns; providing procedure therefor, and procedure for the testing of the validity of such orders; granting the power of eminent domain to parties to such orders when it is necessary to acquire land to comply with such orders; permitting the owners, etc., of such interested railways, to issue improvement bonds to secure funds with which to comply with such orders with approval of Railroad Commission, etc.; permitting incorporated cities and towns, and counties, to issue improvement bonds to pro-

vide funds where necessary to comply with such orders, and within constitutional limits of indebtedness and taxation; providing that this Act is cumulative of certain other laws; providing that the terms of this Act are separable; providing penalties and other remedies for the enforcement of such orders; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

SUITER, Chairman.

(Minority Report)

Committee Room,
Austin, Texas, Feb. 19, 1919.
Hon. W. A. Johnson, President of the Senate.

Sir: We, a minority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 263, Being a bill to be entitled "An Act conferring power upon the Railroad Commission of Texas to require non-grade crossings, when the public interest requires them at crossings of the lines of steam railways, crossings of the lines of steam and interurban railways, at crossings of the lines of interurban railways, and at crossings of the lines of steam or interurban railways with public highways, to apportion the costs thereof amongst the owners, etc., of such railways, or between the owners, etc., of such interested railways and interested counties, cities or towns; providing procedure therefor, and procedure for the testing of the validity of such orders; granting the power of eminent domain to parties to such orders when it is necessary to acquire land to comply with such orders; permitting the owners, etc., of such interested railways, to issue improvement bonds to secure funds with which to comply with such orders with approval of Railroad Commission, etc.; permitting incorporated cities and towns, and counties, to issue improvement bonds to provide funds where necessary to comply with such orders, and within constitutional limits of indebtedness and taxation; providing that this Act is cumulative of certain other laws; providing that the terms of this Act are separable; providing penalties and other remedies for the enforce-

ment of such orders; and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate, with the recommendation that it do not pass.

COUSINS.

WOODS.

Committee Room,

Austin, Texas, Feb. 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 5, Being a resolution to be entitled "A joint resolution of the Legislature of the State of Texas, providing to amend Article 8 Section 1 of the constitution of the State of Texas, relating to taxation,"

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass with the following committee amendment:

(Committee Amendment)

Amend so as to read that it be voted at the general election the first Tuesday after the first Monday in November, 1920.

BUCHANAN of Bell, Chairman.

Committee Room,

Austin, Texas, February 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Constitutional amendments, to whom was referred

Senate Joint Resolution No. 22.

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

BUCHANAN of Bell, Chairman.

Committee Room,

Austin, Texas, February 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We your Committee on Counties and County Boundaries to whom was referred

Senate Bill No. 265, A bill to be entitled, "An Act to provide that the commissioners' courts shall provide suitable places in the courthouse for the holding of court by justices of the peace in the precinct where the courthouse is situated, where there are more than seventy-five thousand

inhabitants in such justice precinct, and declaring an emergency."

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, February 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries to whom was referred

H. B. No. 96, A bill to be entitled "An act to amend Section 8, of Chapter 79 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature of the State of Texas in 1918, relating to the compensation of official shorthand reporters in Dallas County, Harris County, Bexar County and Travis County, and declaring an emergency."

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, February 19, 1919.

Hon. W. A. Johnson President of the Senate.

Sir: We, your Committee on Counties and County Boundaries to whom was referred

S. B. No. 264, A bill to be entitled "An Act providing a salary of Six Thousand (\$6,000.00) Dollars for the county judge in counties having a population of more than one hundred thousand inhabitants, and in which there is at least one city with a population of more than seventy-five thousand, out of the fees, commissions and perquisites earned by such office in the manner and as now provided by law, and repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, February 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We your Committee on

Counties and County Boundaries to whom was referred

S. B. No. 233, A bill to be entitled "An Act to amend Chapter 27, of the General Laws passed by the Thirty-fifth Legislature of the State of Texas, 1917, entitled 'An Act to amend Section 8, Chapter 119, passed by the Regular Session of the Thirty-second Legislature of the State of Texas, 1911,' relating to official shorthand reporters' compensation in certain counties; and declaring an emergency."

Have had the same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass.

PARR, Chairman.

Committee Room,

Austin, Texas, Feb. 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 275, being a bill to be entitled "An Act to preserve, propagate and protect the wild game, wild birds, wild fowl of this State; to provide adequate penalties for the unlawful taking, slaughter, sale, purchase or shipment thereof; to provide for the appointment of Deputy Game Commissioners, and fixing their salaries; to define the duties and powers of the Game, Fish and Oyster Commissioner and his deputies; to fix the venue of prosecution under this Act; to provide for the issuance of a hunting license, and prescribing penalties for hunting without a license; to declare that certain moneys shall belong to the Special Game Fund of this State, and the disposition to be made of said moneys; and to repeal all laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

SUITER, Chairman.

Committee Room,

Austin, Texas, Feb. 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: Your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 313, being a bill to be entitled "An Act making an appropriation for the establishment, construction, equipment and maintenance

of a wool and mohair scouring plant at the Agricultural Experiment Station of the Agricultural and Mechanical College of Texas, for the scouring of representative samples of wool and mohair, in order to determine their shrinkages, as a protection to the Texas producers of wool and mohair in the sale of their products, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass.

Clark, Chairman; Parr, Dudley.

Committee Room,

Austin, Texas, Feb. 19, 1919.

Hon. W. A. Johnson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 318, A bill to be entitled "An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State funds shall be kept and deposited; to define the State Depository Board and its powers, and what banks may become State depositories, and the manner and means of selecting and for the qualification of such State depositories providing for the distribution of such State funds among such depositories, repealing all laws in conflict, and declaring an emergency,"

Have had same under consideration, and beg leave to report it back to the Senate with the recommendation that it do pass and be not printed in bill form, but be printed in the Journal.

WESTBROOK, Chairman.

By Hopkins, West- S. B. No. 318.
brook, Alder-
dice, Smith,
Buchanan of
Scurry, Dudley.

A BILL

To Be Entitled

"An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State Funds shall be kept and deposited; to define the State Depository Board and its powers, and what banks may become State Depositories, and the manner and means of selecting and for the qualification of such State Depositories, providing for the distribution of such State funds among

such depositories, repealing all laws in conflict, and declaring an emergency."

Be it Enacted by the Legislature of the State of Texas:

Section 1. That Chapter 1, Title 44, embracing Articles 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, and 2439, of the Revised Civil Statutes of 1911, and all amendments thereto be amended so as to hereafter read as follows:

Chapter 1. State Depositories.

Article 2417. The State Treasurer, the Attorney General, and the Commissioner of Insurance and Banking, are hereby constituted the State Depository Board, and any two of such members shall constitute a quorum. The State Treasurer shall also perform the duties of secretary of the board.

Article 2418. It shall be the duty of the State Treasurer, between the first and fifth day of January next after each general election to mail to each State and National bank doing business in this State a circular letter soliciting bids for keeping State funds, for a term of two years next after the succeeding March 1, upon the conditions prescribed in this chapter. Said circular letter shall state the conditions to be complied with by the bidders as hereinafter provided, and what each bid shall set forth. The State Treasurer shall make three certified lists of the banks to which such letter was mailed, each to be accompanied by a copy of such letter, one of which he shall deliver to the Attorney General, one to the Commissioner of Insurance and Banking, and the other he shall keep on file in his office for the inspection of any person desiring to see the same.

Article 2419. Said bids shall state the amount of paid up capital stock of each bank, the minimum of State funds it will accept, the rate of interest it will pay on the average daily balances to the credit of the State Treasurer in such bank, and shall contain a provision that the books and accounts of such bank, if designated as a State Depository, shall be open at all times, to the inspection of the State Depository Board, any member, or any accredited representative thereof.

Said bids shall be sealed in an

envelope, marked "Bid for keeping of State funds," and shall be mailed to the State Treasurer in time to reach his office on or before noon of the succeeding first Monday in February.

Article 2420. When the State Treasurer receives such bids he shall endorse thereon the date of receipt of same, and shall on the first Monday in February open the same in the presence of the State Depository Board; and thereupon said board shall make a list of said banks, in the order of the rate of interest offered; that is, the bank offering the highest rate of interest shall be listed first, the one offering the next highest rate next, and so on until all such banks are listed, providing that no bid shall be for the keeping of less than ten thousand dollars and that said board may reject any and all bids, and no bids for less than three per cent on the average daily balance of State funds shall be considered.

Article 2421. In case at any time the banks being used as State depositories, as provided in this chapter, are not sufficient to handle all the funds of the State, and no other bank has offered an accepted rate of interest has qualified according to the provisions of this chapter, then such board may cause the State Treasurer to send out a circular letter embodying the requirements prescribed in Article 2418 above, to all banks authorized to bid, not then acting as the State depositories, giving the date when bids must be in the hands of the State Treasurer, which shall not be less than thirty days from the date of mailing such letter, and bids shall be received, and opened, on the date set out in said letter, in the same manner and upon the same conditions, and a list of the banks bidding shall be made in the order of the rate of interest offered, as provided in the preceding article.

Article 2422. After such list had been made said board shall select from the list of the number of banks offering the highest rate of interest on average daily balances that will, in the judgment of said board be necessary to keep all State funds, and notify them to qualify as prescribed in this chapter; and if, at any time, it should develop that more depositories are required, said board shall

select another list of banks next in order on said list and notify them to qualify as depositories under this chapter, or, in its discretion, said board may advertise for bids as provided in the preceding article.

Article 2423. When a bank has been notified to qualify as a depository it shall, within thirty days after such notice, deposit with the State Treasurer, in an amount one-fifth greater than the maximum amount of State funds said bank proposes to keep, United States State, Federal Land Bank, located in Texas, county, independent school district, or municipal bonds, or vendor's lien or mortgage lien notes, secured by a first lien on real estate of value at least double the amount of said notes, exclusive of improvements; or shall execute a bond signed by some surety company, authorized to do business in Texas in an amount not less than double the amount of State Funds deposited in said bank, said bond to be payable to the State Treasurer and to be in such form as may be provided by the depository board and subject to the approval of said board, but before any State, county, independent school district, common school district, or municipal bonds shall be received as collateral security, they shall be submitted to the Attorney General and by him approved, and such bonds shall be registered under the same rules and regulations as are required for bonds in which the permanent school funds are invested, and provided that such bonds, except United States bonds, shall be worth not less than par. In case vendor's lien or mortgage notes are offered for deposit as security under this chapter, they shall be accompanied by an abstract of title to the land securing the payment thereof, and an opinion of a reputable attorney, residing in the county where such land is located, approving such title and the Depository Board shall make such investigation in regard to the value of the land securing the payment of such notes as is deemed proper and it may require such payment or deposit as is deemed proper to cover the expense of investigating the title to and value of the land securing the payment thereof. Said depository board shall have the right to reject with or without cause any abstract, or opinion thereon, or any notes, or other

securities that may be offered. Provided that a bond executed by any surety company may in its discretion be rejected by the board whenever in the judgment of said board the same should be rejected, and the action of the board in rejecting said bond shall not be subject to revision.

Article 2424. In case any bank that has submitted a bid for keeping State funds shall fail to qualify within thirty days after being notified to do so, it shall forfeit to the State as liquidated damages, the difference between the interest rate offered and the lowest rate of interest the State is compelled to receive on its funds, under the provisions of this chapter for six months, on the maximum amount that said bank proposes to keep, provided that no bank shall be compelled to qualify, or be subject to any penalty, that was not notified to qualify within four months after the bid was opened.

Article 2425. After the depositories have qualified as provided in the preceding articles, it shall be the duty of the State Treasurer to deposit the funds belonging to the State in such depositories, and he shall at all times keep the funds in the bank or banks in the order of the rate of interest offered, so that the State shall receive the highest rate of interest possible on such funds; provided that the depositories selected in the beginning of a biennium shall retain their preference over depositories subsequently selected. No depository shall be entitled to keep on deposit more than its paid-up capital stock, and permanent surplus. If the State Treasurer shall fail to deposit said funds in accordance with the provisions of this chapter, he shall be liable to the State for five per cent a month on the funds he fails to deposit; provided that he may retain in the State Treasury, from time to time, with the express consent of said board, sufficient funds to meet the current demands on the Treasury.

Article 2426. The securities above mentioned shall be delivered to the State Treasurer and receipted for by him and retained by him in the vaults of the State Treasury and if, in any case or at any time, such bonds are not satisfactory security, in the opinion of the State Depository Board, for the deposits made

under this chapter, they may require such additional security to be given as will be satisfactory to them; and said State Depository Board shall, from time to time, inspect such bonds and see that the same are actually kept in the vaults of the State Treasury; and in the event that said bank or banks selected as State depositories shall fail to pay such deposits or any part thereof, on the check of the State Treasury, he shall have power to forthwith convert such bonds into money, and disburse the same according to law upon the warrants drawn by the State Comptroller upon the funds for which said bonds are security. Any bank making deposit of bonds with the State Treasurer under the provisions of this chapter may cause such bonds to be endorsed or stamped, as they may deem proper, so as to show that they are deposited as collateral, and are not transferrable, except upon the conditions of this chapter.

Article 2427. Any State depository receiving State funds under the provisions of this chapter shall pay to the State Treasurer at the end of each month, interest on the average daily balances for said month at the rate of interest agreed on, which shall in no event be less than the rate of three per cent per annum, which interest shall become part of the general revenue.

Article 2428. All officers of this State charged with the collection of, or who shall come into the possession of State funds or other funds required to be kept by the State Treasury shall remit, or pay such funds into the State Treasury, or the State depository designated by the State Treasurer as herein provided, daily as the same are collected, and any officer failing to so deposit such funds shall forfeit to the State five per cent per month on the amount of such funds for the time such funds are withheld as liquidated damages, and shall be subject to all other penalties now prescribed by law; provided that such officers as are required by law to remit to some other officer or department, shall instead of remitting to the State Treasury remit as is required by law, within the time herein fixed for making remittances to the State Treasury; provided further that the State Depository Board may in its discretion authorize county tax collectors to remit on the

first business day after the first, tenth and twentieth days of the month.

Article 2429. The State Depository Board may in its discretion designate certain depositories as receiving depositories and authorize such officers and other persons, who come into possession of funds belonging to the State to deposit such funds in any of such depositories as are found most convenient for the State Treasurer; but unless specially authorized to deposit in such depositories such persons shall remit such funds to the State Treasury. In any event such funds may be sent in cash, by registered letter, by postoffice money order, express money order of any company authorized to do business in Texas, or by bank draft on any State or National bank authorized to do business in Texas, but in such cases the liability of the persons sending the same shall not cease until the said money is actually received by the State Treasury or the State Depository Board in due course of business.

Article 2430. In all cases where State funds are deposited in State depositories by the persons paying the same, such depository shall issue and deliver to such person a triplicate receipt therefor, one of which shall be preserved by the party making such deposit and the others shall be forwarded to the State Treasurer and the Comptroller respectively, and if any State depository shall receive or have on hand State funds in excess of the amount of deposit awarded it by the provisions of this chapter, the same shall be considered in computing the average daily balances and draw the same rate of interest, but such depository shall on the first business day of each month, and oftener if requested by the State Treasurer, remit all State funds in excess of the amount it is entitled to keep to the State Treasurer; and in case any State depository shall fail or refuse to remit such excess, or in case it shall fail or refuse to remit any other funds on deposit when requested to do so by the State Treasurer under the provisions of this chapter, it shall forfeit its right to act as State depository and the State Treasurer shall at once close his account with said depository and notify all collectors and others charged with the duty of collecting

public funds for the State; and the Attorney General of the State shall cause such action to be taken, if any, as shall be necessary to protect the State's interest in the premises.

Article 2431. All State funds shall be deposited and kept in State depositories designated under this chapter, subject to the regulations of this chapter; provided that the State Treasurer may with the consent of the Depository Board retain in the State Treasury at Austin sufficient funds to meet the current expenses of the government in case he finds it advisable to do so.

Article 2432. It shall be the duty of the State Treasurer to keep the funds in the depositories paying the highest rate of interest and to maintain as nearly as possible a fair and equal balance of money on hand in all State depositories paying the same rate of interest, in proportion to the amount each is entitled to receive, by drawing warrants alternatively thereon or by apportioning the warrants so drawn. The State Depository Board is hereby authorized and empowered whenever there are excess funds in the State Treasury for which there is no immediate use to subscribe for such amount of United States certificates of indebtedness as their judgment may dictate, and the interest earned thereon shall become part of the general revenue fund.

Article 2433. All State depositories shall collect without cost to the State all checks, drafts and demands for money and on the demand of the State Treasurer shall issue to him or his order, free of charge, a draft or exchange on a bank designated by the United States or State authorities as a "Reserve Bank" in any banking center of this State, which draft may be in any sum designated by the State Treasurer not exceeding the amount of the State deposit in said depository; provided that the said Treasurer shall give to such depository ten days' notice of his intention to draw on funds therein, before drawing more than one-fifth of the amount such depository is entitled to keep, but this limitation shall not apply to deposits made during the preceding thirty days.

Article 2434. The State Depository Board of the State of Texas shall

have the right to make such rules and regulations governing the establishment and conduct of State depositories, and the handling of funds therein, as the public interest may require, not inconsistent with the provisions of this chapter, which said rules and regulations shall be in writing and entered upon the minutes of said Board. The authority here conferred shall include the power to authorize officers to make refunds of any amount erroneously collected, and to give such officer credit for the amount thus refunded.

Article 2435. If in the opinion of the State Depository Board it is advisable to have the State's business cleared through a bank other than one of the regular State depositories it may advertise for bids, from all State and National banks having a capital stock of not less than fifty thousand dollars, for the clearing and safe keeping of State funds in the manner herein prescribed for the selection of State depositories, and the bank offering the highest rate of interest, to be not less than two per cent per annum, on the average daily balances on deposit shall be selected and notified to qualify by the deposit of securities, or the giving of bond in an amount to be fixed by the Depository Board in the manner herein prescribed for the qualification of other depositories, and collections and clearings may be handled through such depository, and after giving such depository a reasonable time for clearing and collection, the State Treasurer shall transfer such funds to the State depository paying the highest rate of interest on average daily deposits, then available.

Section 2. That all laws or parts of laws in conflict, or not consistent herewith, are hereby repealed.

Section 3. The fact that the depository laws of the State of Texas are inadequate to meet present conditions creates an emergency and an imperative public necessity calling for the suspension of the constitutional rule requiring bills to be read on three several days, and said rule should be and the same is hereby suspended, and this Act shall take effect from and after its passage.

Ranger Investigation Report.

Committee Room,
Austin, Texas, Feb. 18, 1919.
Hon. W. A. Johnson, President of the
Senate;
Hon. R. E. Thomason, Speaker of the
House of Representatives.

Sirs: We, the joint committee of the Senate and House appointed under and by virtue of House Concurrent Resolution No. 20 "to fully investigate the activities of the Ranger force, and the conduct of its individual members, and the cause of complaints that are made against it; the source from which such complaints come and the motives that actuate those who make them, and to make a full investigation of the treatment by the Ranger force of citizens and other persons intrusted to their charge," beg leave to report as follows:

1.

That on the 30th day of January 1919 your joint committee met and organized by electing W. H. Bledsoe, Representative of the 122nd District as Chairman, and Hon. Paul Page, Senator of the 19th District as Vice-Chairman and employing Mr. Walter Pride-more of Ellis County, Texas, as stenographer and clerk of said committee. Thereafter said committee notified Hon. James A. Harley, the Adjutant General of Texas, and the Hon. J. T. Canales, Representative of the 77th District to appear before said committee and to present such matters as they thought should properly be investigated by said committee, and the names of such witnesses as they thought should be examined under the terms of said Resolution. That thereafter the Hon. J. T. Canales filed specific charges in writing, calling said committees' attention to such matters as he thought should be investigated by said committee, and the Adjutant General filed such replies thereto as in his judgment were necessary; that on the 31st day of January, 1919, said committee began and thereafter held open sessions for the consideration of said charges and the examination of witnesses relative thereto, and finishing their hearing of such evidence on the 13th day of February 1919. During said time a large number of witnesses, both in substantiation and in refutation of said charges were heard; that a copy of

said charges and said pleadings by the Adjutant General are herewith submitted to the Senate and House and asked to be considered in connection with this report; that a full and complete stenographic report of the proceedings of the said committee and of the evidence taken will be filed in the Senate and House as soon as same can be completed by the stenographer, and it is asked that same be considered in connection with this report.

2.

That as to the charge made against the Adjutant General, that he has been using the Ranger force for the purpose of showing special favors to his political friends and pets of the administration, and that he had improperly handled the Ranger force under his direction and command; and that he has been prompted by improper motives in the assigning or not assigning Rangers to any special work; and that he has been guilty of improper conduct in the management of the affairs of his office, we believe that the evidence is wholly insufficient to sustain such charges. We find that the present Adjutant General, Hon. James A. Harley of Guadalupe County, is a conscientious, efficient and faithful officer, that he has at all times administered the duties devolving upon him with reference to the State Ranger force in an intelligent, conscientious and effective manner; that he has exercised his best judgment and discretion in the handling of his force; that he has maintained a high standard and morale of said force in the best manner possible under the many disadvantages confronting him. As an evidence of this fact, it is shown at this time the Ranger force consists of 108 commissioned officers and enlisted men; that during the time he has been at the head of the department the Adjutant General has discharged from the service more than one hundred men because of incompetency, and other reasons, that in his judgment justified the discharge; that this was done for the betterment of the service, and as promptly as his attention was called to improper conduct upon the part of any officer or enlisted man in the service, and for raising the Ranger force to that high standard that in his judgment it should attain; that during this time he has had

resignations amongst officers and enlisted men of more than seventy-five in number. These conditions will again be referred to in this report. We feel that instead of being entitled to a condemnation, that the Adjutant General is entitled to the commendation of the Senate and House for the able, efficient, impartial and fearless manner in which he has discharged the duties placed upon him as the head of the Ranger force of the State of Texas

3.

That in our judgment the charges made against Captain W. M. Hanson, the investigating officer of the Adjutant General's Department of inefficiency, partiality and unfairness in the discharge of his duties in such position are not sustained; that on the other hand, under the most trying circumstances, he succeeded to this position and has endeavored in every way to faithfully, efficiently and impartially discharge the duties resting upon him as such officer; that he has at all times been efficient, prompt and fair in the discharge of these duties, and is not subject to criticism or blame with reference thereto; and we, therefore, acquit him of all blame under the charges made against him.

4.

That it is the unanimous opinion of your committee that the conditions existing upon the border between Texas and Mexico at this time are such that the State Ranger force should be maintained in an adequate manner, receiving a just compensation for their services, and in a manner to give protection to the life and property along such border; that the conditions heretofore existing, and in a measure continuing at this time on said border have been, and are now, such that this protection cannot be given to the people of that district except by the maintenance of an adequate Ranger force properly supported, officered, equipped and managed.

5.

That as to the charges made for misconduct upon the part of the various members of the State Ranger force, their unwarranted disregard of the rights of citizenship of many of the border counties, the unnecessary

taking of life by different members of the force, the entering of private residences, searching of private residences, and the taking and confiscating of arms of private citizens by said force without warrant of law, the improper arrest of parties by different members of the Ranger force; the confining of them in jail without taking them before a magistrate, as is required by the laws of this State; and the taking of life of prisoners by some members of the force, we find that many of these charges have been established by sufficient and competent evidence.

We find that some of the commanding officers have been arbitrary and overbearing in the discharge of their duties; that they have assumed authority not given to them, and that in the interpreting of the laws of this state and enforcing them in a manner not authorized under the constitution and laws they have become guilty of, and are responsible for the gross violation of both civil and criminal laws of this state and deserve the condemnation of all law abiding citizens for so doing. The retention of such men on the force should not be tolerated by those in charge.

It is but justice to the present administration to say that many of the outrages complained of, and to which reference is here made, were under the preceding administration, and many of the officers and men responsible for these conditions were employed under the preceding administration.

As an illustration of these conditions we refer to the incident testified to by a number of witnesses following the train wreck near the city of Brownsville in Cameron County in 1915. Uncontradicted testimony shows that within a few days following this wreck five prisoners were arrested and were in the custody of a Captain of the State Ranger force and his men. Without authority of law they took these men a short distance from the scene of the wreck without a trial, judgment of the court or process of law and executed them; that following this execution two other men were arrested under suspicion of having been instrumental in causing the wreck and being responsible for the deaths of parties at that time and were in the custody of the Sheriff of that county; that the Captain of the Ranger force at that place demanded

of the sheriff that these men should be delivered into their hands that they might be executed as had been their supposed accomplices. This request was refused by the sheriff. It is but justice to the present Ranger Force to say that this Captain is no longer in the service, and while the evidence tends to show that some men still in the service were parties to this outrage, most of them have been discharged, and we trust that following this investigation the remainder of them will be promptly discharged from the service.

As a further illustration we refer to charge No. 5 in which it is alleged that on or about April 4th, 1918, one Florencio Garcia was killed while in the custody of three Rangers under circumstances that shows it to have been murder. The evidence discloses that this man was arrested under suspicion of having been interested in the stealing of some cattle; that he was carried from his home to a point some twenty five miles distant, was not taken before a magistrate as is required by law, was placed in jail over night, the next morning was taken out and carried some five and a half miles in the country, and according to the testimony of the Rangers was there set at liberty. This man is shown never again to have been seen alive. A short time afterwards human bones were found near the place where he was said to have been set at liberty, and with them was found clothing identified as having been worn by Garcia at the time of his death. The explanation made by the Rangers was wholly unsatisfactory.

It was shown that under the direction of a Captain in the Ranger Service many homes were entered by the Rangers, and all fire arms therein were taken and confiscated without authority of law, and that many of them have never been returned to their owners. This conduct, in our judgment, was in violation of the spirit of the fundamental laws of this land, and should not be tolerated upon the part of any officer of the law. The evidence further discloses that many of the men of the Ranger Force pride themselves in their reputation of being quick with their guns, and desiring to have the reputation of bad men rather than faithful and efficient officers of the law. Some of the killings charged to have been done by members of the

Ranger Force, especially that complained of in charge No. 3 is shown to have been done by a member of the Ranger Force in the discharge of his duties, and while he may have been negligent in his acts at that time, there is no criminal intent upon his part shown to have existed at that time.

The conduct of certain members of the Ranger Force in some of the counties of this State remote from the border is most reprehensible and the killing in Eastland County charged to them was indeed a regrettable occurrence. These cases now pending in the courts of Eastland and Taylor Counties will be thoroughly investigated, and at this time we do not feel like commenting thereon. The acts complained of in charges Nos. 8, 18 and 19 as shown to have been committed by persons who are not now in the Ranger Force, one of them was shown to have been discharged on the first of the month preceding the assault committed on a waiter in a cafe in San Antonio.

The killing complained of in charge No. 18 is shown to have been done by a man not then in the service, who was afterwards commissioned as a State Ranger, but who has since left the service and the other was shown to have been committed by a man in the service, but who has since left the service, and if the evidence is to be relied upon, neither of these men should ever again be employed as a member of the State Ranger Force.

6

We are duly appreciative of the great service that has been rendered by many of the State Rangers in the protection of property, as well as of the trying conditions confronting them, and under which these services were rendered. Too much credit cannot be given to the officers and men of the force who met these responsibilities as they should have done, and we feel sure that the Legislature of this State will commend them for the faithful manner in which they discharged their duties, and that they will be duly sensible as to the necessity for the continuation of this force. We believe and recommend to the Senate and House of Representatives that the number of State Rangers should be reduced; that the Governor of the State should be authorized to

increase the number in active service during any time of emergency as in his judgment the occasion demands, for the proper protection of life, property, the restraining of lawlessness and the enforcement of the laws in this State.

We believe that the officers and men should be men of high moral character, men who will regard their official oaths and discharge their duties in accordance therewith, who will at all times be conservators of the peace and diligent in the enforcement of the law towards all men. That they shall be paid an adequate salary justifying the services of good men; that there should be a central authority over the force accountable to the Adjutant General and the Governor of the State; that said force should be organized in such a way as to avoid too great a division of authority looking to the efficient handling of the entire force. We do not believe that it would be to the best interest of the Ranger Force that they should be placed under bond, but we believe that instead of looking to a bond as a means for securing the faithful performance of their duty, that as above suggested, they should be selected as men of integrity and placed under a proper and rigid control of those in authority.

7.

After hearing all of the evidence we desire to say that in our judgment the Hon. J. T. Canales has been prompted by no improper motives in making the charges that he has made against the State Ranger Force, and that at all times during the investigation he has been fair, prompt and considerate in the presentation of charges, the furnishing of witnesses and the introduction of evidence with reference to the charges made, and we feel that much good should come both to the Ranger Force, and to the people of Texas by reason of the investigation had under these charges.

8.

We desire especially to express our appreciation not only to the Hon. J. T. Canales, but to Hon. James A. Harley, the Adjutant General, Hon. R. E. L. Knight of Dallas and Hon. Dayton Moses of Fort Worth for their kindnesses and services rendered to your committee in this investigation,

and to say that by reason of their hearty co-operation we have been able to make what in our judgment is a full, fair and complete investigation of the Ranger Service.

Respectfully submitted,

W. H. BLEDSOE,

Rep. 122nd District, Chairman.

PAUL D. PAGE,

Sen. 19th District, Vice-Chairman.

D. S. McMILLIN,

SAM C. LACKEY,

W. M. TIDWELL,

EDGAR E. WITT,

Senator 11th District.

Austin, Texas, Jan. 30, 1919.

To the Honorable W. H. Bledsoe, Chairman, and the Members of the Joint Committee of the House and Senate to Investigate the Charges Against the State Ranger Force:

Sirs: I, J. T. Canales, Representative from the 77th District, do hereby make the following charges upon information and belief, and protest under oath that the charges hereinafter made are not prompted by malice or any improper motive on my part, but for the purpose of enabling the committee to investigate the abuses permitted in the present Ranger Force in various sections of the States to-wit,

First. I charge that on or about November 16, 1918 Rangers George B. Hurst and Daniel Hinojosa, while in a state of intoxication, discharged their pistols in the streets of San Diego, Duval County, Texas, and intimidated the citizens of said town and that afterwards, when complaints were made for their arrest, they made threats against the life of Constable Ventura R. Sanchez in the event he would execute the warrant of arrest against them. I submit herewith the affidavits of said constable accompanied by the affidavits of witnesses M. A. Manoz and Juan Barrera, and, in addition to these, the letter from Mrs. Virginia Yeager who resides in San Diego, Texas, all of which I mark "Exhibit A," and which I desire to be made part of these charges.

Second. I charge that Jesus Villereal, a citizen of Duval County, while under the custody of Sergeant J. J. Edds together with other Rangers, whose names at present are not known to me, on or about the 15th day of September, 1918, was tortured and brutally treated by said Rangers, as-

sisted by one Royal Collins, in order to make him confess to a supposed violation of the law. In this connection I submit the affidavit of said Jesus Villerreal, accompanied by the affidavits of Eulalio Benavides and Guillermo Benavides, all citizens of Duval County, Texas, which affidavits I mark "Exhibit B," and I ask that the same be considered in connection with this charge.

Third. I charge that on or about October 5, 1918, Sergeant J. J. Edds, stationed at Rio Grande City, killed a man by the name of Lizando Munoz at Munoz Ranch which is near Rio Grande City under circumstances which makes said Edds guilty of murder in the second degree. I charge that investigation was made by Captain W. M. Hanson on ex parte affidavits of said Edds and others and said charges were turned over to the Adjutant General of this State and his attention called thereto. The record of this investigation has not been turned over by the Adjutant General to the House but must remain in his possession and I wish to submit in connection with this charge the letter of Captain W. L. Wright, written October 9, 1918, addressed to Hon. Sam D. W. Low, Acting Adjutant General, which letter I refer to as "Exhibit C." I further charge that notwithstanding this investigation made by the Adjutant General said J. J. Edds has been retained in the service and is still in the service. I desire to summon as witnesses in this case R. Oestervene, County Attorney of Starr County, Texas, who resides at Rio Grande City, F. Oestervene, Justice of the Peace, Starr County, Texas, Rio Grande City, and Sheriff G. A. Guerra, Rio Grande City, Starr County, Texas.

Fourth. I charge that on or about September 2, 1918, one Jose Maria Salinas was murdered in Jim Hogg County by two Mexicans named Sabas Ozuna and Frederico Lopez under circumstances that lead me to believe that said Mexicans were acting under the orders and at the request of Sergeant J. J. Edds. In connection with this charge I submit the record of the investigation made by Captain W. M. Hanson, acting under the orders of the Adjutant General, as per letter dated September 16, 1918, enclosing record of the investigation made by him in testimony given by various witnesses but not placed under oath,

which papers I mark "Exhibit D," and I desire that the committee should consider same in connection with my charge.

Fifth. I charge that on or about April 4, 1918, one Florencio Garcia was killed while in the custody of Rangers Locke, Saddler, and possibly Sittler, of Captain Chas F. Stephens company, under circumstances which according to investigation made by the Adjutant General's Department, which investigation together with this charge is omitted, shows that it constituted murder. I further charge that notwithstanding this investigation neither of said Rangers in whose custody the man was before he was killed was discharged from the service, or in any way reprimanded for the action by the Adjutant General's Department. And in connection with this charge I desire to submit the correspondence and statements that are taken from the files of the Adjutant General's Department which are here marked "Exhibit E," and in addition thereto I desire to submit the names of the following witnesses: H. W. Gray, Brownsville, Texas, Oscar C. Dancy, County Attorney of Cameron County, Brownsville, Texas, Judge H. J. Kirk, Justice of the Peace, Precinct No. 2, Cameron County, Brownsville, Texas, and desire that a subpoena duces tecum should be issued against Frank Champion, District Clerk of Cameron County, Brownsville, Texas, requiring him to bring in all records before the Grand Jury of Cameron County with regard to the examining trial in said case.

In addition to the above charges I reserve the right to file further charges for other violations of law. And I desire also to submit to you the charges made by Honorable John J. Ford which accompanies this list of charges.

Respectfully submitted by
J. T. CANALES,

Rep. from the 77th District.

Austin, Texas, Feb. 1, 1919.

To the Honorable W. H. Bledsoe, Chairman, and the Members of the Joint Investigating Committee of the House and Senate to Investigate Charges Against the State Ranger Force.

Continuation of Charges.

Sixth. I charge that on or about the 19th day of December, 1918,

Rangers J. B. Nalle and John Bloxom Jr., killed Ernest W. Richburg about 8:00 p. m. in his own place of business in the town of Ranger, Texas under circumstances which, under the law, constitutes murder. I charge that this matter was called to the attention of Governor W. P. Hobby on December 22nd, by a mass-meeting of citizens headed by the Hon. W. D. Sulter, State Senator, and this matter was referred to the Adjutant General of the State for investigation and that the Adjutant General maintained these two men in the force until January 10, 1919, four days before the Legislature met, when they were suspended from the Service. I charge that this matter was of such notorious character and the facts were so accessible that the Adjutant General's Department could have secured all of the evidence necessary to show that the Rangers who killed Mr. Richburg did so under circumstances which made them guilty of murder and they should have been suspended from the Service within a week from the time the offense was committed, but that this delay in their suspension was due to the fact that there is, and has been, a disposition in the Adjutant General's Department to protect and shield men of desperate character in their unlawful acts while in the Ranger Force. In connection with this charge, I call the attention of the committee to the letter of Sergeant Sam McKenzie, addressed to Captain J. L. Andres in which he uses the following language:

"The boys had to kill a fellow last night at Ranger, Texas. They raided a gambling den and this man made a fight and the boys shot him but everything quieted down today. Just talked to John Bloxom over the phone and he said everything was quiet. The judge's verdict was, 'he resisted arrest.'"

I wish also to call attention to the telegram addressed to Governor W. P. Hobby, signed by Hon. W. D. Sulter, dated December 22, 1918, characterizing this incident as cold-blooded murder and an assassination. These letters I mark "Exhibit F."

Seventh. I charge that on or about the 24th day of September, 1918, Ranger D. F. Barnett, a member of Captain Jerry Gray's company stationed at Marfa, Texas, did, in a manner which was unjustifiable, shoot at two Mexicans, wounding one, and

that, although the circumstances as shown from the investigation made by the Adjutant General's Department conclusively show that the Ranger was guilty of assault with intent to commit murder, or at least aggravated assault and battery, the Adjutant General in person made the following statement, as quoted from his letter of October 18, 1918:

"I find that Barnett was acting perhaps indiscreetly, but nevertheless not entirely to blame for the transaction. The matter will be overlooked this time provided you advise him to be more careful in future and not to be using his gun too promiscuously when not necessary."

In the affidavit made before a Notary Public by the said Barnett, he states the transaction to be as follows:

"On the 24th day of September, 1918, Mr. W. T. Davis and I went out in his pasture to pick up some cattle for Mr. Davis; about one o'clock that afternoon, when about two miles from Mr. Davis' house, we saw two Mexicans, who were horseback, in Mr. Davis' pasture; they were about three quarters of a mile from where we were. We picked up a bunch of cattle and started back to the ranch with them; we missed a portion of the cattle and went back into a draw to pick them up and found these two Mexicans following us; when we came up on them Mr. Davis asked them why they were following us. One of them replied: 'We are trailing some mares; what the hell is it to you?' When the Mexican said this, Mr. Davis rode up to the Mexican and hit him with his pistol. At that the Mexicans rode off and Mr. Davis and I shot three or four times each; we were shooting in the air over the Mexicans for the purpose of keeping them from following us. We were not shooting to hit the Mexicans, but for the purpose of frightening them and to keep them from following us further."

In connection with this charge I submit for the consideration of the committee, all correspondence and the investigation made by the Adjutant General's Department which is here marked "Exhibit G."

Eighth. I charge that on or about October 2, 1918, at the San Francisco Cafe in San Antonio, Texas, Ranger W. B. Bently brutally assaulted John Thermis, a waiter in said Cafe, strik-

ing him on the head with a pistol without any provocation. I wish to call the attention of the committee to the fact that the citizens who were witnesses in the transaction and who made statements regarding this occurrence refused to sign the statement because they were afraid of being similarly treated by said Ranger, which shows the notorious character of some of the Rangers in the force today. In this matter the Adjutant General had discharged the Ranger from the service and, since this is one instance in which the Adjutant General has discharged a person from the service for wrongful action, it is worthy of calling your attention thereto. In connection with this charge I submit the record and correspondence on this subject from the Adjutant General's file which I mark "Exhibit H."

Ninth. I charge that Captain W. M. Hanson, who is and has been the investigating officer of the Adjutant General, is unfit for said office because he conducts most, if not all, of the investigations against Rangers with the idea of justifying the actions of the Rangers in committing the offenses charged. I further charge that he knows of his own knowledge that there are now in the service persons of desperate character and that in former investigations made by him they have been shown to be guilty of murder and that, notwithstanding this fact, he permits such persons to remain in the Service and whitewashes them in the investigations that he conducts for the Department. I especially call attention to the investigations of the charges made by myself, being charges No. 3, 4, and 5. In connection with this charge I wish to call the attention of the committee to the fact that said Captain Hanson, before he starts upon an investigation, makes up his mind that the party to be investigated by him is not guilty of the offense charged, and I refer to his letter addressed to James A. Harley, Adjutant General, October 15, 1918, from which I quote as follows:

"As soon as I can get away from here I will continue my investigation with reference to the mistreatment of Mexican citizens at Donna, Texas, as well as the killing of Lizandro Munoz by Sgt. Edds, above Rio Grande City some time ago. I had a long talk yesterday with our mutual friend Repre-

sentative Canales, and I find that he is rather bitter, and seems a little bit unreasonable, as usual, and that he as well as all other Mexicans believe the Mexicans should not be killed regardless of the facts of justification in the case. I am positive from what Captain Wright tells me, that Sgt. Edds was perfectly justifiable, yet, I think it necessary to fortify your department with sworn facts from both sides of the question. I will do this as soon as I can get matters shaped up here in a satisfactory manner."

Tenth. I charge that the Adjutant General has been using the present Ranger Force for the purpose of showing special favors to his political friends and political "pets" of the administration. I further charge that this has been a custom of long standing, but has been markedly abused by the present incumbent of the office and I wish to call attention especially to one among others that can be proven, to wit: In my district large numbers of Rangers are stationed and have been kept and maintained at the State's expense on the ranches of what is known as the King's Ranch which consists of over 2,000,000 acres and of which the Hon. Caesar Kleberg is general manager, the same Caesar Kleberg who is now a member of the Democratic State Executive Committee and who has been active ever since my bill to regulate the present Ranger Force was introduced, lobbying against that bill and seeking to influence members of the House to vote against it, and has brought a number of his political henchmen to act as lobbyists against said bill. The said Caesar Kleberg, I charge, is one of these political "pets" of the administration, and, through his influence, he gets undue and unnecessary protection from the Adjutant General, who details a number of Rangers at the expense of the State on the King ranches, especially in Willacy County where there are hardly any people living except their own employees, and they use these Rangers for the purpose of depriving the people of exercising their rights under the law to hunt in large enclosures or pastures of more than 5,000 acres. And these political favors are aggravated in view of the fact that the same protection has been requested by other large cattlemen in the State and they have been denied the same protection, chiefly because

they did not happen to be politicians. In connection with this charge, I desire to call as witnesses Hon. A. D. Rogers of San Antonio, Texas, and one Adolph Lorenz, who lives in Live Oak County, Texas.

I further reserve the right to file additional charges.

Respectfully submitted,

(Signed) J. T. CANALES,
Representative from 77th District.

Austin, Texas, Feb. 3, 1919.

To the Honorable W. H. Bledsoe, Chairman, and the members of the Joint Investigating Committee of the House and Senate to investigate charges against the State Ranger Force:

Continuation of Charges.

Eleventh. I charge that on or about January 28, 1918, fifteen Mexicans, after they had been arrested and disarmed by State Rangers under Captain J. M. Fox's command, at or near El Porvenir in Presidio County, having been arrested on suspicion, were murdered by said Rangers without any justification or excuse and without giving said Mexicans an opportunity to prove themselves innocent of the offenses charged against them. I charge that there were two investigations made of this affair, one conducted by Capt. W. M. Hanson, the investigating officer of the Adjutant General's Department, which investigation seeks to justify the Rangers in this affair, and the investigation conducted by the United States authorities under the direction of First Lieutenant Patrick Kelly of the U. S. Army, in which investigation he conclusively shows that these fifteen Mexicans, after having been arrested and disarmed by the Rangers, were killed in cold blood. I call this to the attention of the committee in further support of my charge No. 9 against Capt. W. M. Hanson as unfit for the office which he holds under the Adjutant General. I wish also to call the attention of the Committee to the fact that, although the Adjutant General discharged the Rangers who committed this outrage as well as Capt. J. M. Fox who was in command of the Rangers at the time, yet according to Capt. Fox's letter of June 11, although he, Capt. Fox, assumed the responsibility for the outrage and asked that he, himself, be discharged, the Adjutant General of the State who is the present incumbent refused

to discharge him at the time, but Capt. Fox charges that his subsequent discharge as Captain of the Rangers was due to the fact that he was not supporting Governor Hobby for Governor, but was a supporter of Ex-Governor Ferguson. I further charge that from the records in this investigation and the way said investigation was handled by the Adjutant General's Department, I am led strongly to believe that the discharge of Capt. Fox was, as he claims, due to political reasons rather than to the fact that he had approved the outrage committed by his men and has assumed the responsibility therefor. In this connection I wish to submit for the consideration of the Committee the whole file of the Adjutant General's Office marked "B-4" and herein referred to as "Exhibit I."

Twelfth. I charge that the investigation held December 29, 1918, with regard to the murder of Ernest W. Richburg at Ranger, Texas, referred to in my sixth charge was conducted by Captain Hanson, and, that, although it was a notorious fact that said Richburg was murdered in his own place of business, the record of said investigation conducted by W. M. Hanson seeks to justify the actions of said Rangers by leading the Department to believe that the killing took place in an attempt to raid a gambling house and thus justify the Rangers in such unlawful killing. In this connection I wish to call your attention to the fact that since this investigation there has been a trial of one of these Rangers and the jury has found the man guilty. I call this matter to the attention of the committee in further support of my charge No. 9 against the unfitness of Capt. Hanson as investigating officer of the Department, and in support of this charge I here offer the record of the investigation made by him of said affair at Ranger, Texas, which is marked "B-3" but which I refer to as "Exhibit J."

Thirteenth. I charge that in the first part of August, 1918, the exact date I am unable to give, at or near Donna, Hidalgo County, Texas, a Mexican by the name of Arturo Garcia, in company with another Mexican by the name of Pedro Tamez, was taken out of jail at Donna, Texas, by some officers and I have reason to believe that among these officers there were some State Rangers

belonging to the company of Capt. Stevens stationed at Mercedes, Hidalgo county, Texas, about nine miles from Donna, and that these Mexicans, after being taken out of town in an automobile, were told to go away and they were shot at by these officers among whom there were State Rangers, wounding the said Arturo Garcia in the leg and he was left there all that night until he was picked up by a Mr. Busby who lived at that time at Mercedes, Texas. I charge that in making this investigation, Capt. W. M. Hanson sought to fasten the responsibility for this unlawful act on the local officers and citizens in order to shield the Rangers who committed the outrage. I call the attention of the committee to his letter of October 24, 1918, addressed to General James A. Harley and also to all correspondence and investigation made in regard thereto, which I here mark "Exhibit K."

Fourteenth. I charge that on or about the same time as in the above charge No. 13, that in or about Donna, Texas, another Mexican by the name of Jose Hernandez was flogged and horsewhipped and maltreated by State Rangers from the company of Captain Stephens because he was suspected of having stolen a jack. I further charge that Captain W. M. Hanson, before he finished said investigation, told me in Brownsville that one Fred Winn, a deputy sheriff of Cameron county had told him that he was the one who had committed this outrage, and at the time I knew that such information was untrue as the offense was committed at a ranch south of Donna in Hidalgo county, and about fifty miles from Brownsville and the said Fred Winn did not know anything about the transaction. I mention this incident because it was about this time that I woke up to the fact that, in all investigations made by Captain Hanson, he either tried to justify the actions of the Rangers or to shield them by getting statements from local authorities in which they assumed the responsibility for the unlawful acts in order to shield the Rangers. In connection with this charge I again refer to the letter of Captain Hanson of October 24, 1918, addressed to James A. Harley, and marked "Exhibit K."

Fifteenth. I further charge that there are now, and there have been

for some time, in the State Ranger force men of desperate character, notoriously known as gunmen, their only qualification being that they can kill a man first and then investigate him afterwards; that the character of these men is notorious and well-known and that in the employment of said men in the State Ranger force the Adjutant General is either negligent in the selection of his men or else it is his policy to have such characters in the Ranger force to terrorize and intimidate the citizens of this State. In connection with this charge I desire this committee to pass in review the very men that are now in the force and examine for themselves by looking at these men who have been and are now, in the force.

Sixteenth. I charge that citizens in my county and adjoining counties refuse to make charges against Rangers for violations because they have become convinced of the fact that the Adjutant General's Department instead of investigating the officers who are charged with violating the law, would put such officers on notice of the charges made against them and then hold one-sided and partial investigations of the charges against the State Rangers with a view to justifying their actions. In this connection I wish to call the attention of this committee to my correspondence with the Governor and the adjutant General with regard to charges made against State Rangers wherein, after the charges were made, instead of keeping those charges secret by the Adjutant General's Department, they would put the person charged on notice that charges were made and for that reason peaceable and law-abiding citizens would not make charges against the Rangers, knowing the character of men in the force. When I filed my charge of the threats made against me by Ranger Frank Hamer at Brownsville, Texas, with Governor Hobby and referred by him to General Harley for investigation, the said General Harley, then and now Adjutant General, wired said Frank Hamer on December 23, 1918, as follows:

"Under Governor's orders you are instructed not to make threats against the lives of any citizens especially J. T. Canales and that he is to be given proper protection as a

citizen. Complaint has been filed that you have made some threats. Without going into the truth of the matter you are instructed to be careful and courteous at all times and not to make a personal matter of your official duties. Undertake to adjust differences as best you can without causing any trouble. Answer."

HARLEY, Adjutant General.

In connection with this charge I herewith submit the correspondence on this subject from the Adjutant General's office, marked "B-2" and herein referred to as "Exhibit L."

Seventeenth. I charge that the Adjutant General could have, without the least expense to the State, made proper investigation and eliminated from the Ranger Service notoriously bad men whose names have been called to his attention as shown in my previous charges, but that it has been his disposition and the disposition of the Department to keep and maintain such character of men in the force, and that it will cost the State something like \$12,000 or \$15,000 for an investigation of this character in order to clean up and purge the State Ranger force of such characters, and I therefore charge that the present incumbent of the office is wholly incompetent to discharge the duties of his office and that this committee, in its investigation, should so find and recommend to the Governor that he should select for said office some proper person who is able to exercise the duties of said office with dignity and economy and with honor to the State.

Respectfully submitted,

J. T. CANALES,

Representative from the 77th, District.

Austin, Texas, Feb. 4, 1919.

To the Hon. W. H. Bledsoe, Chairman, and the Members of the Joint Investigating Committee of the House and Senate to Investigate Charges against the State Ranger Force.

Continuation of Charges.

Eighteenth. I, J. T. Canales, do further charge on information and belief, that I am reliably informed and verily believe that H. E. Roberson, for a long time a member of the Ranger Force, did in Sierra Blanca,

Hudspeth County, Texas, about two and a half years ago, unjustifiably kill H. F. Boykin, a well known and highly honored cattleman of that section, said Boykin, at the time, being unarmed, and the said Roberson being armed with pistols and a Winchester, and on account of his reckless conduct not only killed said Boykin, but also killed an innocent bystander. I do not charge that at the very time of the killing said Roberson was a member of the Ranger Force of Texas, but he had been until very shortly before the killing and then after the killing, and at or about the time of his first conviction for murder he was re-commissioned a Ranger by the Adjutant General's Department of Texas. I further charge that the record in said murder case shows that said Roberson had been commissioned a Ranger after he had been tried for murder at Marfa, previous to the killing of Boykin. I refer this Honorable Committee to the record of said murder case, which can probably be obtained from the Court of Criminal Appeals, and I also ask process for Senator R. M. Dudley and Representative Adrian Pool and R. E. Thomason.

Nineteenth. I, J. T. Canales, do further charge on information and belief, that I am reliably informed and verily believe that in 1917 one W. B. Sands, a member of the Ranger Force of the State of Texas, while in a very intoxicated condition, in the Coney Island saloon, a notorious resort in the city of El Paso, Texas, did kill Sergeant Owen Bierne, who for nearly twenty-five years had been an able and honorable regular soldier of the United States, said Bierne having been sent to said saloon to quell a disturbance there and to remove certain soldiers then in said saloon, and said Sands, while intoxicated and armed with a pistol, did unjustifiably kill said Bierne.

In support of this charge I ask that process be issued for Senator R. M. Dudley and Representatives Adrian Pool and R. E. Thomason.

Respectfully submitted,

J. T. CANALES,

Representative from Seventy-seventh District.

Answer of Adjutant General.

Austin, Texas, Feb., 1919.

To the Hon. W. H. Bledsoe, Chairman, and the Members of the Joint Committee of the House and Senate to Investigate the Charges Against the State Ranger Force.

Sirs: Now comes James A. Harley, Adjutant General of Texas, and files this answer replying to the charges filed herein on the 30th day of January, 1919, by J. T. Canales, Representative from the Seventy-seventh District, and says:

First. That for the sake of joining issues and in order that testimony may be heard, upon information denies the first charge made by said Canales and says that same is not true, and if true, which is not admitted, wishes to state that the charges therein contained as stated by said Canales, has never been brought to the attention of the Adjutant General's Department, and states that the said Canales if he had such knowledge of such conduct on the part of such Rangers George B. Hurst and Daniel Hinojosa never disclosed such knowledge for information of the Adjutant General's Department, and in this if he had such knowledge he was derelict in his duty as a citizen.

Second. To the second charge as made by Canales, a denial is hereby entered for the sake of joining issue in order that testimony may be produced before the Committee, and the said James A. Harley, Adjutant General of Texas, states that if such violation of the person of Jesus Villareal did occur, that it was unknown to the Adjutant General's Department, and if such conduct on the part of said J. J. Edds and other Rangers is true, and the said Canales had knowledge of such fact, he did not disclose it to the proper authorities, either the Governor or the Adjutant General, and in this he was derelict in his duty as a citizen.

Third. To the third charge as made by the said Canales the Adjutant General admits the fact of the killing of Lizando Munoz, but states that same was unavoidable.

Fourth. To the fourth charge as made by said Canales, the Adjutant General enters an admission that a Mexican by the name of Maria Gomez Salinas was killed by two Mexicans, but in killing said Salinas they were

not doing so under orders of Sergeant J. J. Edda. That said J. J. Edda did not order killing, and was not present at the time.

Fifth. To the fifth charge as made by the said Canales that on or about the 4th of April, 1918, one Florencia Garcia was killed while in the custody of Rangers Locke, Saddler and Sittre, the Adjutant General enters a denial and says that the evidence as disclosed does not prove to any reasonable person that the said Garcia was killed by the Rangers aforesaid. That the Grand Jury of Cameron County, of which county the said Canales is a resident, investigated the alleged complaint and found no bill of indictment against the Rangers named; that the Adjutant General, acting upon the official action of said Grand Jury, and believing that they were in better position to investigate said alleged killing, did not find that said Garcia was killed by said Rangers. Further, that the Captain of said company, Captain Charles F. Stevens, whom the said Canales admitted before this Committee was a good officer, had reported to the Adjutant General that from his investigation he did not believe that the Rangers above named had anything to do with the killing of said Garcia. The Adjutant General, acting upon the findings of the Cameron County Grand Jury, and which county is the resident county of the said Canales, and upon the report of the said Captain Charles F. Stevens, whom the said Canales states is a good and reliable officer, did not find that the evidence presented to the Department would warrant the conclusion that the Rangers killed the said Garcia. Further answering, the Adjutant General says the said Rangers Locke and the said Saddler are now out of the service and are no longer on the Ranger Force.

Fifth (a). Further answering charges made by the Hon. John J. Ford as presented by the said Canales that Rangers were guilty of misconduct in Nolan County and that they brutally treated prisoners in their charge, or that they were guilty of any other serious misconduct, the Adjutant General enters a denial and says that same is not substantiated by any record filed in his Department, or any evidence obtainable so far as he has been able to ascertain.

Sixth. Answering the sixth charge

filed by said Canales herein on the first of February, 1919, the Adjutant General says that the statements and allegations contained in said charge are unfair, misleading and made with the deliberate attempt to reflect upon the Adjutant General's Department in the discharge of their duty for the reason that the said J. B. Nalle and the said John Bloxom, alleged to have killed Ernest W. Richburg at Ranger, Texas, were discharged and relieved of duty on the 10th day of January, 1919, after the Adjutant General, in company with W. M. Hanson, had visited the scene of the killing and interviewed the witnesses that were available; that after the Adjutant General left the scene of the killing he left Captain Hanson in charge to continue and to make a more thorough investigation of the said killing of Richburg. That after the evidence was collected and presented to the Governor recommending the discharge of the said Nalle and Bloxom, the same was done; that upon the advice of the citizens of the town of Ranger, the said Nalle and Bloxom were left on duty as the only protection the town of Ranger had against lawlessness, murder and bootlegging until relieved the 10th day of January in the due course of events; that the whole investigation and statements in this investigation were turned over to the District Attorney at Eastland, Texas, for his benefit in the trial of the said Bloxom and the said Nalle.

Seventh. Replying to the seventh charge of the said Canales on "That on the 24th of December, 1918, said Ranger Barnette did shoot at two Mexicans, wounding one," the Adjutant General states that the allegation as set out by the said Canales is unfair, misleading in that he attempts to show that the Adjutant General was encouraging bad conduct on the part of Rangers when in fact the same is not true. The evidence will show that the Mexican wounded on the occasion mentioned above was wounded by one Deputy Sheriff W. T. Davis of Presidio County, who assumes all responsibility for the shooting; that the said Barnette merely discharged his gun in an effort to apprehend the Mexican aforesaid, and that he was reprimanded for doing so.

Eighth. Answering the eighth charge as set out by the said Canales,

the Adjutant General says that the case as stated by the said Canales is false. That the said Canales knew it was false when he so stated it, but that he deliberately and with evil intent to mislead this Committee, stated that the said Bentley was a Ranger when in fact and in truth the said Bentley had been prior to the alleged trouble at San Antonio, discharged from the Ranger Force for misconduct. That when the said assault took place at San Antonio, the said Bentley had been already discharged from the Ranger Force.

Ninth. To the ninth charge, the Adjutant General enters a denial and says that the said Captain W. M. Hanson has been a diligent and faithful officer; that he has incurred the disfavor of the said Canales' section of the county, and in this connection the Adjutant General requests that the Committee have the said Captain Hanson before them for full investigation of this charge.

Tenth. To the tenth charge as presented by the said Canales that the Adjutant General has been showing special favors through political friends, etc., the Adjutant General enters a denial and says that this charge is made for the deliberate purpose of reflecting upon the Governor of Texas and upon Mr. Caesar Kleberg, because he happens to be friendly to the administration.

The Adjutant General makes emphatic denial of this whole charge as a malicious, unwarranted untruth. The authority of the Adjutant General has not been used for the purpose of showing favor to anyone, and this administration has no political pets.

The reason for keeping Rangers on the King ranch is to render protection to that section of Texas from Mexican bandits, thieves and murderers. The King ranch to which he refers in Willacy County and other counties, has much less than two million acres. Mr. Kleberg is here, together with several other large committees from that section of Texas to enlighten the members of the Legislature who do not know the conditions there as to the true conditions and the need of Rangers, and to assure them that the good citizenship of that country can not live in that section of Texas in peace and safety to their lives and property unless a strong force of Rangers are

stationed there and act independently of local officers. The King ranch, as well as other ranches in that section of the country, have for the last fifty years been the special goal for the bad element from Mexico and this side of the river, as has been evidenced by the many raids and murders committed in that section of the country.

Austin, Texas, Feb. 5, 1919.
To the Honorable W. H. Bledsoe, Chairman, and the members of the joint investigating Committee of the House and Senate to investigate charges against the State Ranger Force.

Continuation of Reply of Charges.

Answering charge No. 11, filed on February 3rd, 1919, by said J. T. Canales, the Adjutant General states that he admits the killing of said fifteen Mexicans under circumstances which lead him to believe that certain members of Captain J. M. Fox's company were implicated in the killing. An investigation was made of the whole affair, was conducted by one Captain W. M. Hanson Investigating Officer for the Adjutant General's Department that acted upon said investigation and the said members of Captain Fox's company supposed to be implicated in said killing were discharged from the Ranger service, and further answering this charge the Adjutant General says that he acted solely upon the report of said killing as made by Captain Hanson, that first Lieutenant Patrick Kelly of the United States Army acted as an assistant of said Captain Hanson upon his investigation, that the said Captain Fox did not assume responsibility of said killing, and denied all knowledge of connection with the crime until after his man had been discharged and then he wrote a letter to the Governor, the purport of which tended to show that he condoned the acts of his men and tendered his resignation to the Governor, which was readily accepted. The Adjutant General denies that there was any political complexion to the action of his department so far as this case was concerned.

Answering charge No. 12, the Adjutant General denies that said Captain Hanson in making said investigation attempted in any way to justify the actions of said Ranger

for the killing of Ernest W. Richburg or that he attempted in any way to mislead the department.

Answering charge No. 13, the Adjutant General, the charge as set forth, says that same is not true, that the whole is a misconstruction of plain facts presented in an attempt to wilfully mislead the committee as the record will disclose that the Rangers from Captain Stephens, or any other company, had anything to do with the killing, and that the statement of said Canales with reference to an attempt of said Hanson to fasten responsibility upon local citizens and officers, is a misconstruction of plain facts.

Answering charge No. 14, the Adjutant General denies the charge as set forth, and says that same is not borne out by the records of this office, that the conclusion reached by the said Canales is without foundation and is a misleading statement of the records on file with this committee.

Answering charge No. 15, For the sake of joining issue, the Adjutant General enters denial, and says that if there are men on the force whose only qualifications are that they can kill a man first and then investigate him afterwards the same has never been brought to his attention.

Answering charge No. 16, the Adjutant General says that all complaints filed with his department are thoroughly investigated so far as the attitude of the department is able to do so, that the Adjutant General's Department admits and asserts that it is the duty of the Adjutant General to notify a Ranger that charges have been filed against him in order that he may have an opportunity to defend himself, and to mend his ways. The Adjutant General knows of no law abiding citizen who would or could object to giving any person whom charges are filed against, an opportunity to be heard. The Adjutant General's Department is not in a habit of convicting people upon the unsworn statement of any person. It is not the policy of this department to do so, as when the complaint is filed against anyone they are notified that the complaint is filed and an investigation is made with the view of knowing both sides of the controversy.

Answering the charge No. 18, as

filed by said Canales, the Adjutant General says that he knows nothing of the charge therein contained, that the said Robinson has only special commission issued to him by the Cattle Raisers Association of Texas, that the Cattle Raisers Association is responsible for the acts of their men, and that the Adjutant General assumes that they selected men who are worthy and responsible.

Answering charge No. 19, as filed herein, the Adjutant General denies any knowledge of said killing in 1917 by one W. B. Sands, that he has no knowledge of said offense as charged, that the same did not happen during the encumbrance of the present Adjutant General, that the said W. B. Sands is not now and has not been connected with the Ranger Force during his tenure of office.

Respectfully submitted,

JAMES A. HARLEY.

Adjutant General, State of Texas.

Austin, Texas, Feb. 10, 1919.

To the Hon. W. H. Bledsoe, Chairman, and the Members of the Joint Committee of the House and Senate to Investigate the Charges Against the State Ranger Force.

Sirs: The Adjutant General, further representing to the Committee, presents that heretofore, to-wit, . . . day of January, 1919, he issued a communication to the Legislature requesting the appointment of a committee to investigate all alleged charges against the Ranger Force and to determine the cause of complaint and the motives of those making said complaints. The purpose of the Adjutant General in making this request to the Investigation Committee appointed by the Legislature was that a fair and impartial tribunal might be constituted which would summon witnesses and go thoroughly into matters with witnesses before the testifying under the sanction of an oath; that said committee could elicit testimony before said committee which the Adjutant General's Department could never procure by non-judicial investigation. He further represents that he realized that such a committee as is now constituted and here sitting could understand the vicissitudes and dangers that beset the Texas Rangers, and the difficulties under which the Adjutant Gen-

eral's Department labored in endeavoring to keep a high standard personnel on starvation wages. "Every laborer is worthy of his hire," and no man is going to render higher service than the standard you fix for him by his remuneration, save in a few exceptional cases, and in this the Adjutant General asks the judgment of this Committee relative to the proper remuneration.

The Adjutant General further states that his appearance before this Committee is not for the purpose of hiding or defending any acts of misconduct by Rangers, but that he may be of assistance to this Committee by helping to develop both sides of every controversy. That he has never condoned or approved of misconduct, nor has his agent and inspector, W. M. Hanson, ever done so, but on the contrary he has always and continuously endeavored to eliminate the bad element from the Force, which is evidenced by the fact that he has discharged approximately 108 men during his tenure of office, which is 100 per cent of the actual number of men now on the Force; that acting under the Governor's direction he has tried to maintain a high standard of conduct for Rangers, and has always investigated causes of complaint whenever made by well meaning and reliable citizens; that he represents that many matters of misconduct developed before this Committee constituted acts which were committed prior to his induction into the office of the Adjutant General of the State and matters over which he had no control, and which happened a long time prior to his term and of which he had no means of knowing, and of these matters he asks the judgment of the Committee that they so state in their report.

The Adjutant General further represents that this investigation having taken a wide scope, which covers a number of years of Ranger activities, especially on the border, where alleged acts have been complained of before this Committee which antedates the incumbency of the present administration, requests the Committee to differentiate between acts committed prior to and subsequent to the present regime, in order that the public may know that all the misconduct complained of is not attributed to the present personnel of

the Force, and of this the Adjutant General asks present judgment of this Committee.

The Adjutant General further represents that the low salary, and the heavy taxing of our man-power by the National Government made it practically impossible to keep any character of men on the Force, much less high class men at all times, as evidenced by the fact that a number equal to the present Force has been discharged and about 95 per cent have resigned during my tenure of office.

Further representing to the Committee, the Adjutant General says that the many hundreds of citizens of this State who have so splendidly rallied to the support of the Ranger and who know and live in the portions of Texas where the Texas Ranger is the only safeguard for the lives of their loved ones and their property have had no mercenary or biased motive in appearing here, but only to assist this Committee and see that the Ranger Service that their forefathers organized was not destroyed by the enemies of good government. Further representing to this Committee, the Adjutant General says a living evidence of the necessity for continuing the Force is the fact that the government of the State, the loyal members of the Force, and all good citizens, and especially those who live in the border section, are as anxious that the Ranger Force be purged of undesirables (if there are any) and that the Force be composed of good, law-abiding, clean men, who at all times will observe the law and conduct themselves as officers should.

The Adjutant General, acting for the Governor, has endeavored to rid the Service of the lawless element, and will continue to do so with the assistance of the Legislature, if given the proper agency with which to carry out such reforms as are necessary which he now asks of this Committee and prays judgment thereof.

The Adjutant General further represents that if the Legislature, acting upon the sound judgment of this Committee, will place a sufficient salary for Rangers at the disposal of the Adjutant General and make such other recommendations as can be easily carried out by the Legislature in placing within the complete control of the Adjutant General the State Rangers, subject only to the

Governor's call to duty, the Adjutant General can and will eliminate from the Force and make of it an organization that will be the pride and protection of the State and its best citizens.

Further presenting this matter to the Committee, the Adjutant General represents that it is his belief that the Ranger Force as now constituted is composed of men, some of whom are of excellent character and whose conduct as Rangers has been second to that of no other peace officer of the State, and that the general aspersions cast during this investigation and the character of such men should not go unchallenged, to their humiliation, because, perchance, some acts were committed by a few others, most of which occurred in 1915 and 1916, long prior to the term of service of these men and the Adjutant General and unknown to them, although complained of and known to their calumniators, and of this he asks judgment of this Committee.

The Adjutant General further represents as heretofore stated that when asking for the appointment of an investigation committee he welcomed a healthful and thorough investigation as given by the Committee in justice to the people and the Rangers, that they may know the real facts, and of the wrongs committed, and help correct them. Notwithstanding the effort on the part of the Adjutant General to assist in dispelling the mists of misunderstanding, it is sincerely to be regretted that sinister forces, grown venomous by political rancor, against the Chief Executive, should seek by an abuse of legislative privileges to drag from its high purpose the efforts of this Committee and require you gentlemen to grope through the mists of personal aspersions and to weigh without evidence the cowardly thrusts that real American manhood would not tolerate in the open; aspersions cast under the protection of sacred privileges sadly abused, and in this the Adjutant General respectfully submits to the wisdom of this Committee the justice and fairness of the actuating motives that impelled them, and asks for such action as this Committee deems advisable.

In conclusion, the Adjutant General respectfully submits all matters before this Committee and with full

confidence in the combined wisdom of their action and asks that they recommend such actions and changes in the Ranger Service, its personnel, and its future operations, believing that this Committee will serve the purpose for which the Adjutant General asks for, if it will give the public and the Legislature the benefit of what has been developed herein, and which he knows will be done to the benefit of the Ranger Service in the future, and the honor of our State.

Respectfully,

JAS. A. HARLEY,
The Adjutant General, State of Texas.

TWENTY-EIGHTH DAY.

Senate Chamber.,
Austin, Texas, Feb. 20, 1919.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor W. A. Johnson.

The roll was called, a quorum being present, the following Senators answering to their name:

Alderdice.	Gibson.
Bailey.	Hall.
Bell.	Hertzberg.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnston.
Caldwell.	McNealus.
Carlock.	Page.
Clark.	Parr.
Cousins.	Smith.
Dayton.	Strickland.
Dean.	Suiter.
Dorough.	Westbrook.
Dudley.	Witt.
Faust.	Woods.
Floyd.	

Absent—Excused.

Williford.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Dorrough.

Excused.

Senator Williford was excused for all of this week on account of important business, on motion of Senator Witt.

Petitions and Memorials.

There were none today.

Standing Committee Reports.

See Appendix.

Bills and Resolutions.

By Senator Dudley:

S. B. No. 322, A bill to be entitled "An Act to amend Article 8125 of the Revised Civil Statutes of Texas, 1911, so as to authorize the appointment of special deputies to enforce the penal provisions of the laws relating to motor vehicles and their use on the public highways, and declaring an emergency."

Read first time, and referred to the Committee on Criminal Jurisprudence.

By Senator McNealus:

S. B. No. 323, A bill to be entitled "An Act to amend Sections 1, 2, 3, 6 and 8, Chapter 49, of the General Laws of the Thirty-fourth Legislature, by raising the age limit of compulsory attendance to fifteen years, raising the grade of exemptions from the fourth to the seventh grade, defining the power of district and county boards of trustees and of the State Superintendent of Public Instruction in the enforcement of the compulsory attendance law, and raising the compulsory attendance period from one to one hundred and twenty days."

Read first time, and referred to Committee on Educational Affairs.

By Senators Strickland, Faust, Dorrough, Hertzberg, Witt and Smith:

S. B. No. 324, A bill to be entitled "An Act to make it unlawful for any person employed as auditor or accountant or who may hereafter be employed to do auditing work for the State of Texas or any county, municipality or any legally authorized committee to knowingly make a false report of their findings, prescribing a penalty, and declaring an emergency."

Read first time, and referred to Committee on Criminal Jurisprudence.

By Senators Strickland, Witt, Faust, Dorrough, Hertzberg, Smith:

S. B. No. 325, A bill to be entitled "An Act to make it unlawful for any civil engineer, employed by the State